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THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Wednesday, 26th April 2023

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

Hon. Speaker: Hon. Members, we have quorum to transact business. Congratulations for coming in early today.

Deputy Majority Party Whip.

PAPERS

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Reports of the Auditor-General and Financial Statements on E-Citizen Revenue Accountability Statements for the years ended 2018, 2019, 2020, 2021 and 2022.
2. Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30th June 2022:
 - (a) Rural Electrification Scheme – Kenya Power and Lighting Company PLC;
 - (b) The President's Award – Kenya;
 - (c) National Authority for the Campaign Against Alcohol and Drug Abuse Mortgage and Car Loan Fund;
 - (d) Non-Governmental Organizations Co-ordination Board;
 - (e) Financial Reporting Centre;
 - (f) Kenya Trade Network Agency (KENTRADE);
 - (g) Public Procurement Regulatory Authority;
 - (h) Public Procurement Regulatory Authority Staff Loans Scheme Fund;
 - (i) University of Nairobi Press;
 - (j) Privatisation Commission;
 - (k) Kenya Nuclear Regulatory Authority;
 - (l) National Crime Research Centre;
 - (m) Kenya School of Law;
 - (n) Kenya National Qualifications Authority;
 - (o) Private Security Regulatory Authority;
 - (p) National Authority for the Campaign Against Alcohol and Drug Abuse;
 - (q) Kenya Roads Board Operations;
 - (r) Kenya Roads Board Fund;
 - (s) Kenya National Commission for UNESCO;
 - (t) Kenya Ordinance Factories Corporation;
 - (u) Kenya Medical Training College;
 - (v) Kenya Medical Laboratory Technicians and Technologists Board;
 - (w) National Aids Control Council;

- (x) Kenya Export Promotion and Branding Agency;
- (y) National Research Fund; and,
- (z) Kenya Copyright Board.

Thank you, Hon. Speaker.

Hon. Speaker: Deputy Majority Party Whip. Member of the Delegation to the 2023 Parliamentary Dialogue on United Nations Convention against Corruption, Hon. Shakeel Shabbir.

Hon. Shakeel Shabbir (Kisumu East, Independent): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Kenyan Delegation to the 2023 Parliamentary Dialogue on United Nations Convention against Corruption (UNCAC) and Global Parliamentarians against Corruption (GOPAC) Annual General Meeting, held in Doha, Qatar from 8th to 9th March 2023.

Hon. Speaker: Thank you. Chairperson, Select Committee on Regional Integration.

Hon. Alice Ng'ang'a (Thika Town, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Committee on Regional Integration on its consideration of the proceedings of the First Session of the Sixth Parliament of the Pan African Parliament (PAP). Thank you.

Hon. Speaker: Thank you. Chairperson, Departmental Committee on Administration and Internal Security.

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Administration and Internal Security on its vetting of a nominee for appointment as a member of the National Police Service Commission.

Hon. Speaker: Thank you. Next Order.

NOTICES OF MOTIONS

NOTING OF REPORT OF THE KENYAN DELEGATION TO THE PARLIAMENTARY DIALOGUE ON UN CONVENTION AGAINST CORRUPTION

Hon. Shakeel Shabbir (Kisumu East, Independent): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House notes the Report of the Kenya Delegation to the Parliamentary Dialogue on United Nations Convention Against Corruption (UNCAC) and Global Parliamentarians Against Corruption (GOPAC) Annual General Meeting, held in Doha, Qatar from 8th to 9th March 2023, laid on the Table of the House on Wednesday, 26th April, 2023.

Hon. Speaker: Thank you. Next is Hon. Tongoyo.

VETTING OF NOMINEE FOR APPOINTMENT AS MEMBER OF THE NATIONAL POLICE SERVICE COMMISSION

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, taking into consideration the findings of the Departmental Committee on Administration and Internal Security in its Report on the vetting of a nominee for

appointment as a member of the National Police Service Commission, laid on the Table of the House on Wednesday, 26th April 2023, and pursuant to the provisions of Article 250(2)(b) of the Constitution, Section 6(6) of the National Police Service Commission Act, 2011 and Section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House approves the appointment of Mr. Edwin Kiprono Cheluget as a Member of the National Police Service Commission.

Hon. Speaker: Thank you. Next Order.

QUESTIONS AND STATEMENTS

Hon. Speaker: Hon. Members, we have two Questions. They both come from the Member for Kamukunji, Hon. Yusuf Hassan.

If the Prime Cabinet Secretary is within Parliament, can you usher him in.

(Hon. Speaker consulted with the Clerk-at-the-Table)

Can we move on to Order No.8? We will come back to Order No.7 later.

MOTION

RATIFICATION OF THE HAGUE CONVENTIONS ON CHILD SUPPORT AND PROTECTION

Hon. Speaker: Before that is dealt with, Hon. Naomi Waqo, can your office inform all Cabinet Secretaries that when they are slated for answering Questions, they should be here at 2.30 p.m. even as we said we start from 3.00 p.m.? If the preceding orders are run through quickly, the House cannot sit and wait.

Communicate with Cabinet that we expect any Cabinet Secretary scheduled to be in Parliament to answer Questions, to be seated here by 2.30 p.m.

Hon. Naomi Waqo (Marsabit County, UDA): We will do that Hon. Speaker. Thank you.

Hon. Speaker: Right. Chairperson, Departmental Committee on Social Protection.

Hon. Alice Ng'ang'a (Thika Town, UDA): Thank you, Hon. Speaker.

Hon. Speaker: You will move your Motion and when the Prime Cabinet Secretary comes in, we will hold you where you will be and deal with Questions before we come back to you.

Hon. Alice Ng'ang'a (Thika Town, UDA): Thank you, Hon. Speaker. Pursuant to Section 8 of the Treaty Making and Ratification Act of 2012 and Standing Order 170A, I beg to move:

THAT, this House adopts the Report of the Departmental Committee on Social Protection on the consideration and ratification of the following:

The Hague Conventions on:

- (i) Civil Aspects of International Child Abduction;
- (ii) Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of parental responsibility and measures for the protection of children; and
- (iii) International recovery of child support and other forms of family maintenance.

The three conventions were referred to ...

Hon. Speaker: Order, Hon. Alice Ng'ang'a. When you move the Motion, you first say, "I beg to move the following Motion ..." and read it word for word as it is on the Order Paper, then you start now doing what you are doing.

Hon. Alice Ng'ang'a (Thika Town, UDA): Thank you very much, Hon. Speaker, we are learning a day at a time.

Hon. Speaker I beg ...

(The Prime Cabinet Secretary walked into the Chamber)

Hon. Speaker: Hon. Alice Ng'ang'a, maybe I can spare your time. The Prime Cabinet Secretary is now here. You can hold, you will move your Motion immediately after Question Time. Sorry for interrupting you.

Hon. Alice Ng'ang'a (Thika Town, UDA): It is okay. Thank you very much Hon. Speaker.

Hon. Speaker: Let us go back to Order No.7. Call out the Order.

QUESTIONS AND STATEMENTS

ORDINARY QUESTIONS

Hon. Speaker: Hon. Members, we have two Questions, 116 and 118 of 2023 both asked by the distinguished Member for Kamukunji, Hon. Yusuf Hassan to the Prime Cabinet Secretary, who is in the Chamber now.

I call upon the Hon. Yusuf Hassan to ask his Question. You came to consult with the Hon. Speaker whether you should ask both Questions and have them answered together. The direction is no. We deal with one Question at a time for purposes of proper record keeping and the HANSARD.

So, ask Question 116 of 2023.

Question 116/2023

CUSHIONING KENYANS FROM UNBEARABLE COST OF LIVING

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Speaker for the opportunity to ask this Question. I had in fact asked you to indulge and allow me to say a warm welcome to my colleague, the Prime Cabinet Secretary. I would like to ask Question 116 of 2023 which is directed to the Prime Cabinet Secretary.

Could the Prime Cabinet Secretary:

- (a) explain the efforts that the Government is instituting to cushion Kenyans from the unbearable cost of living as a result of rising prices of basic commodities?
- (b) explain what led to the escalation of prices of commodities such as *unga*, rice, sugar and other basic food items in the country towards the end of the last Financial Year 2021/2022 and into the current Financial Year 2022/2023?
- (c) with definite timelines, outline immediate measures that the Government is instituting to –
 - (i) Lower the cost of basic commodities in the country
 - (ii) Reduce the cost of fuel; and

(iii) Address the depreciation of the Kenya Shilling against other currencies?

(iv) Outline the immediate steps the Government is taking to stabilize the economy and set the country on a growth trajectory?

Thank you, Hon. Speaker.

Hon. Speaker: The Floor is yours. Hon. Members, after the Question is answered, those who want to ask supplementary questions, go to the intervention. But as usual, the screen is full. I do not know if it is full for this Question or for other businesses. But we will find a way of going about it. Prime Cabinet Secretary, please take the Floor.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Thank you, Hon. Speaker. Let me just quickly take this opportunity to thank the Members of Parliament for according us an opportunity to respond on matters of Government Policy in this august and distinct House.

I will go straight to dealing with the Question at hand. I will seek your indulgence to try and pick up this Question in a matter that will help in the sequencing of the response but I definitely will deal with all the issues that have been raised by the Hon. Member.

I shall accordingly, therefore, take up number two of his Question first, that is, an explanation on the escalation of commodity prices.

The causes of escalation of prices of commodities were as follows:

1. Inflation

The overall inflation did not behave well. The Kenya National Bureau of Statistics indicates that in 2002 the inflation was around 7.9 per cent and it picked in October 2022 to 9.6 per cent. It slightly declined to 9.2 per cent in March this year.

Inflation was pushed up by the following factors:

- (a) Higher food prices resulting from reduced agricultural production and drought effects.
- (b) Global supply chains were disrupted mainly by the Russian-Ukraine conflict.
- (c) Higher prices of imports were also pushed by the dollar effect and supply constraints globally.
- (d) Equally, higher global oil prices, elimination of subsidies for petrol and substantive reduction of diesel and kerosene on account of unsustainability of the cost of maintaining the subsidy programme. All these were a major cause of the changing prices of fuel and other commodities.

2. Fiscal Distress

The second item that caused an escalation of food prices is fiscal distress. In a layman's language, the message I am putting across is that our public finances are not in good order. It is a fact that we can no longer deny. The overall fiscal deficit, including grants, for the period of March 2023 was Ksh369.3 billion, which is 2.5 per cent of GDP, against a target of Ksh579 billion, which is 4 per cent of GDP. This deficit was financed in two components: externally at Ksh80.1 billion and net domestic financing at Ksh287 billion. The gap is a total of Ksh43.8 billion. This was attributed also to liquidity challenges in the domestic debt market. In other words, we had a revenue shortfall of Ksh133.2 billion and below-target expenditures amounting to Ksh332.6 billion.

Fiscal distress was also reflected in the pressure of the public debt. Public debt consumes a substantial portion of our Budget. In fact, Members may wish to note that interest cost is now the single largest expenditure item in our recurrent budget, exceeding the wage bill and the county equitable share. That is interest payment alone.

Our total debt—and this is very critical because we want to lay the facts bare to the nation—is Ksh9.4 trillion, against a debt ceiling of Ksh10 trillion. This comprises external debt of Ksh4.8 trillion and domestic debt of Ksh4.5 trillion, as at the end of March 2023.

The cumulative debt service to external creditors as at the end of March stood at Ksh312.6 billion. This comprises a principal of Ksh197 billion and interest payment of Ksh115.7 billion. The total outstanding national government pending bills as at 31st December 2022 amounted to Ksh481 billion, compared to Ksh467.7 billion as at the end of 31st December 2021. This comprises Ksh400.7 billion, that is 83 per cent, from State corporations and Ksh80.3 billion from Ministries, Departments and Agencies (MDAs).

Another factor that fuelled the problem is the exchange rate. Since the pandemic, the exchange rate has helped absorb external shocks and preserve our competitiveness. However, the Kenyan Shilling has since depreciated against major international and regional currencies. It exchanged at an average of Ksh134 per USD in April 2023 compared to Ksh117.29 in June 2022. The volatility in global financial markets has surged amidst significant strengthening of the USD against major currencies and rapid changes in policy stands in advanced economies in response to inflationary pressures. In addition, domestic foreign exchange (FOREX) demands went up on higher global prices for imported products, mainly food, fuel and fertilisers. These are now much more expensive.

Let me also point out that the official foreign exchange reserves have declined from Ksh7,969.5 million, that is 4.4 months of import cover as at December 2022. The four months of import cover as at February, 2023 declined to USD7.1 million but the usable FOREX reserves remained adequate at USD6,531 million, that is 3.63 months of import cover, as at 19th April 2023. This still meets the Central Bank of Kenya statutory requirements to endeavour to maintain at least four months of import cover.

Together, these developments have significantly impacted liquidity in the domestic FOREX market. In particular, the interbank FOREX transactions have declined, limiting price action in that market. The exchange rate impacts directly on the cost of living in Kenya as imported goods and services become more expensive.

Let me also touch on particular causes of the escalation of food prices from 2022 to 2023. The country has experienced a prolonged period of drought over the last two-and-a-half years, from 2020 to 2023, which has been recorded as the worst drought in 40 years. The performance of the 2022 long rains was poor in parts of the country, which was followed by crop failure in the Arid and Semi-Arid Lands (ASALs) during the short rain season. The anticipated relief from October, November and December 2022 short rains season was not realised except for pulses due to the prolonged drought that resulted in a sixth failed rain season. This scenario reduced the annual maize production, creating a higher national deficit of about 34 per cent in 2022 compared to 28 per cent in 2021.

I would like to let the House know that the country recorded the lowest maize production in 10 years. We managed to get 34.4 million bags, which was 3.1 million metric tonnes, in 2022. Ordinarily, we would be talking about 50 million bags. The country also lost approximately 2.5 million head of livestock due to drought effects.

Hon. Speaker, it is, therefore, important to note that the onset of the current rainy season and associated flash floods has also occasioned further loss of livestock of unknown value. A planned rapid assessment will determine the actual cause. That means the Government is planning to have a rapid assessment to determine the actual loss. Extreme climate change events, growing population, rising food prices and other environmental stressors have emerged as key drivers of food insecurity and malnutrition. It is further acknowledged that the supply chain disruptions of 2020 to 2022 due to negative global events, that is, the COVID-19 pandemic and its lingering effects, the impact of the Russia-Ukraine conflict and high fuel prices have increased the percentage of food insecure population. In my written statement, I have endeavoured to share the specific data on this question but I will not go through it now.

Let me now pick up on what measures the Government has taken to cushion Kenyans from the high costs of living occasioned by these rising prices of basic commodities. The first

step is to focus on enhancing food security. The Government aims to achieve food self-sufficiency and reduce imports through increased production and productivity of all staple food crops including stepping up production of oil seed crops such as sunflower and sesame. The March-April-May 2023 rainy season is predicted to be normal. We thank God for that. We intend to maximise our production potential for the rain-dependent-grain producing areas. The first significant harvest of grain is expected to enter the market in August 2023.

We also have some short-term measures to address the food security situation. The Government has taken the long-term sustainable approach of resolving the cost-of-living predicament by subsidising production instead of consumption. However, there are a number of immediate interventions that are aimed at short-term solutions to the high cost of living and at the same time build momentum for the long-term approach. Key to this is the fertiliser subsidy programme.

During the 2022/2023 short rains season, the Government availed 3.1 million bags of fertiliser worth Ksh3.5 billion to improve farmers' uptake and agricultural yields. In the current long rains season, the Government has launched the enhanced e-voucher fertiliser subsidy programme, through which it has availed 6 million 50Kg bags of subsidized fertiliser worth Ksh15 billion, retailing at a cost of Ksh3,500 per bag, down from the market price of Ksh6,500 per bag. This represents a subsidy of Ksh3,000 per bag for fertiliser.

To date, 2.246 million e-vouchers have been issued to registered farmers. As at 22nd April 2023, 28 counties were participating in the maize and coffee value chains. The total digitally registered farmers in those counties were 2.332 million. In those counties 1,000,960 50 Kg bags of fertiliser were bought by 271,684 farmers. Subsidised fertiliser for tea and coffee farmers has also been organised under the same programme. Again, I will table data on how this fertiliser has been distributed across the counties.

The other intervention from the Government is the provision of duty waivers on food imports. To bridge the food stocks deficit and stabilise the high food commodity prices, the Government has granted duty waiver for importation of 1.4 million metric tonnes of white maize, 600,000 metric tonnes of rice, 500,000 metric tonnes of yellow maize— largely to be used for production of animal feed— 200,000 metric tonnes of soya beans, 300,000 metric tonnes of soya bean meal, 1,600 tonnes of assorted protein concentrate and 40,000 metric tonnes of feed additives effective from 1st February to 6th August 2023.

You will note that this programme is being put in place to end before the Kenyan farmers' harvest season begins. The duty-free maize imports will temporarily reduce the high cost of maize and flour for consumer benefit in the short-term. However, the cost of food will be dictated by supply and demand which is the key focus of the Kenya Kwanza Government.

We will also engage in active post-harvest management programme. It is estimated that Kenyan farmers lose about 30 per cent of their crops. We will put more effort in this area. We will also support the farmers by ensuring enhanced pest control and aflatoxin efforts to eliminate the danger of our foods being contaminated. We also intend to promote drought-tolerant crops. In the current year, over 250 metric tonnes of assorted drought tolerant seeds valued at Ksh50 million have been distributed in Embu, Meru, Makueni, Machakos, Tharaka Nithi, Murang'a, Nyeri, Siaya and Busia counties. These being basic seeds, it is expected that farmers will multiply and redistribute the seeds in their localities, thus addressing the challenge of seed access and food insecurity.

We also have quite a number of other Government programmes in collaboration with the county governments. These are programmes that support crop and livestock insurance, the National Value Chain Support Programme (NVSP), Small-Scale Irrigation and Value Addition Programme (SIVAP), Kenya Cereals Enhancement Programme (KCEP) and Kenya Climate Smart Agriculture Programme (KCSAP), just to name but a few that are designed to help farmers.

Hon. Speaker, let me now address the aspect of reducing the cost of fuel. The Government has done the following: First, the Government has lifted the moratorium on power purchase agreements as a way of enhancing the country's energy security by opening up the energy sector to continued investments and leveraging on the market forces of demand and supply. However, the price benefits will not be immediate due to other exogenous factors.

Secondly, prior to April 2023, the Government imported all its petroleum product requirements through the open tendering system. The monthly requirement—this is very useful for the Members—is approximately 740,000 metric tonnes of fuel. This translates to about USD70 million per month. All these petroleum products imports were paid for in United States of America (USA) Dollars which put a strain on the Government's FOREX reserves and caused a huge deficiency in availability of USD causing depreciation of the Kenya Shilling. The USD requirements by oil marketing companies account for about 30 per cent of Kenya's total USD requirements. This puts local foreign exchange reserves under pressure. In an effort to ease the aforementioned pressure, the Government, therefore, entered into a memorandum of understanding with prospective governments and master framework agreements with their respective petroleum trading entities for the supply of petroleum products for a term of 270 days on extended credit for a period of 180 days. This is referred to as the Government-to-Government (G2G) Arrangement.

Under the foregoing terms, the G2G arrangement is under implementation and the first cargoes—MT Front Capella delivering 80,000 metric tonnes of Jet A-1 fuel and MT Norddolphin delivering 85,000 metric tonnes of petrol—were received at the Port of Mombasa on Thursday, 13th April 2023. Other cargoes have been scheduled and are expected in the country. Having received the first consignment, the positive effects of this arrangement should start being felt in the near term. This intervention is also expected to reduce pressure on our foreign exchange and lower the cost of petroleum.

Let me also focus on reducing the cost of cooking gas. We have moved swiftly to end the monopoly in the sourcing and supply of cooking gas which inevitably results in price inflation. The Government has opened up this sector by reviewing the policy to allow for competition by setting stage for additional players to be licensed to set up Liquefied Petroleum Gas (LPG) facilities. This will cut the cost of handling and evacuating gas from the ships to the mainland. Hence, it will allow the dealers to transfer the cost reliefs to the consumer.

Let me touch on how we are addressing the depreciation of the Kenya Shilling against other currencies. The Government is implementing sound exchange rate policies to stabilise the local currency and manage the foreign exchange reserves in an effort to mitigate the impact of currency fluctuations. As I noted earlier in my statement, in response to the question, the official foreign exchange reserves have declined from USD7.9 million which is equivalent to 4.4 months of import cover as at December 2022 to USD7.1 million which is equivalent to four months of import cover as at February 2023. The usable foreign exchange reserves have remained adequate at USD6,531 million, that is, 3.6 months of import cover as at 19th April 2023. This meets the Central Bank of Kenya (CBK) statutory requirement to endeavour to maintain at least four months of import cover. The G2G arrangement for the importation of petroleum products that account for up to 30 per cent of Kenya's USD requirements is expected to not only stabilise the exchange rate but also lead to the appreciation of the Kenya Shilling.

Let me now highlight some of the immediate steps that the Government is taking to stabilise the economy and set the country on a growth trajectory. They are several but I will just try and pick out a few. As the House will appreciate, the measures to cushion Kenyans from the high cost of living, as well as reduce the cost of basic commodities as I have enumerated above, will invariably also result in a stabilised economy. I will, therefore, take this opportunity to highlight other measures aimed at stabilising the economy.

Firstly, the Government remains committed to programmes jointly formulated with its development partners through which we anticipate to get much needed Budget support. I believe when the Cabinet Secretary for the National Treasury and Economic Planning will speak to Parliament in a few weeks' time, he will elaborate this. We will continue bolstering economic resilience by pursuing prudent micro-economic policies geared at reducing debt vulnerabilities and supporting sustainable and inclusive development.

Through the fiscal consolidation programme, we aim to continue with our revenue mobilisation and expenditure prioritisation policies geared towards economic recovery. This will support sustained, rapid and inclusive economic growth and safeguard livelihoods, thus creating a fiscal space for the implementation of Government priority programmes. With inflation remaining above the target band, our monetary policy will remain focused on maintaining price stability by resisting the pass-through of second round effects from higher food and fuel prices to other prices and keeping inflationary pressures well anchored.

Over the medium-term, inflation is expected to return to the midpoint of 5 per cent of our target band which is 2.5-7.5 per cent. The Central Bank of Kenya on its part has proactively tightened its monetary policy stands to prevent second round effects and keep inflation expectations anchored. The CBK rate was raised to 9.5 per cent in March 2023. This is expected to gradually reduce inflation in the coming months. The exchange rate flexibility has worked as a shock absorber in the face of variety of external shocks and will continue to do so to help support our competitiveness, protect reserves and facilitate efficient functioning of our domestic foreign exchange market. These policies are mutually reinforcing in support of maintaining macroeconomic stability and resilience, ensuring fiscal and debts sustainability and enhancing buffers against external shocks. The Government will implement the bottom-up economic transformation agenda that is geared towards economic turn-around and inclusive growth, as specified in the Budget Policy Statement, which I am happy to note that this House has already approved.

Finally, it is important to take cognisance of the functioning of markets, especially on the supply side, where there are threats like political unrest, strikes and *maandamano*. The functionality of markets is impaired thus slowing down economic recovery.

Hon. Speaker, I will pause there, so that I can take some supplementary questions.

Hon. Speaker: Thank you, Prime Cabinet Secretary. Before I call Hon. Yusuf to file that supplementary question, allow me to acknowledge in the Speaker's Gallery, the presence of officers of the County Assembly of Mandera from Mandera East. You may stand to be acknowledged. Thank you. On my behalf and that of Parliament as a whole, we welcome you.

In the Public Gallery, I acknowledge the presence of Africa Youth Leadership Forum from Dagoretti North in Nairobi, Pendo Youth Group from Konoin in Bomet, Kwa Njenga Primary School from Embakasi South in Nairobi, and Goshen Academy from Kuria West in Migori County. Again, on my behalf and that of Members, we welcome the four institutions to the House of Parliament.

(Applause)

Hon. Hassan, you may ask your supplementary question.

Hon. Yusuf Hassan (Kamukunji, JP): Thank you, Hon. Speaker. From the outset, while the Prime Cabinet Secretary has outlined the long-term measures that the Government is hoping to benefit from and jumpstart our economy, I have not heard adequate steps that the Government will take to address the cost of living in the short-term and in the medium-term. It is good to provide fertilisers for our farms, but 30 per cent of our population lives in urban centres where they are suffering from the high cost of living. Apart from the wish-list that, perhaps, there will be a bumper harvest or the global economy will stabilise, it appears as if the

Government is leaving Kenyans entirely to the vagaries of the economy in terms of supply and demand issues.

The second point that I wanted to speak about is that since the Prime Cabinet Secretary has highlighted the runaway debt crisis in the country, our escalating national debt is like an albatross which, if not handled with the care and seriousness it demands, could choke the life out of our national economy and undermine our national development. I already hear from economists that our national debt is already above Ksh10 trillion. So, what concrete action is the Government taking to ensure that our debt does not escalate beyond a situation where we are no longer able to service it?

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Yusuf. Cabinet Secretary, you will take several supplementary questions and then you can answer them together. Hon. Geoffrey Ruku, I hope you have keyed in your card for this. Had you intervened to ask a supplementary question or was it for something totally different?

Hon. Ruku GK (Mbeere North, DP): Thank you, Hon. Speaker. I had something totally different.

Hon. Speaker: Okay. That is the problem I have with this screen. Mejjadonk? He is there. Give him the microphone.

Hon. Mejjadonk Gathiru (Embakasi Central, UDA): Thank you, Hon. Speaker. I would like to ask the Prime Cabinet Secretary a supplementary question. Could he confirm whether the supply of subsidised fertiliser by the Government will be a continuous process, and for how long?

The second one on the same is, could the Prime Cabinet Secretary indicate whether the budgetary allocation for the subsidised fertiliser will be included in the national Budget Estimates expected this week in Parliament?

Thank you.

Hon. Speaker: Hon. Mawathe of Embakasi South.

Hon. Julius Mawathe (Embakasi South, WDM): Thank you, Hon. Speaker. To the Prime Cabinet Secretary, you have given very long feedback or answers to very specific questions. The local or common *mwananchi* wants to know when the cost of commodities and, especially consumables like *unga* and cooking oil will be lowered. This is so that they may become affordable, especially for people from places like Mukuru kwa Njenga, Mukuru kwa Reuben and other lower income sections.

Thank you.

Hon. Speaker: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. From what I have heard from the Prime Cabinet Secretary, there are a number of measures that the Government has already taken. I appreciate what he has said that we have had the lowest maize production levels in the last 10 years. He has stipulated various measures to mitigate the same, including a production subsidy rather than a consumption subsidy on fertilisers. Because we have heard calls for re-introduction of consumer subsidies for maize, is the Government considering any consumption subsidies, especially the maize subsidy that was there before the election?

I have also seen farmers in the North Rift raise issues of whether they were getting subsidised top-dressing fertilisers. I want to hear from the Prime Cabinet Secretary whether the Government is considering giving farmers top-dressing subsidised fertilisers.

Hon. Speaker: Member for Kesses.

Hon. Julius Rutto (Kesses, UDA): Thank you very much. First of all, I appreciate the Leader of the Majority Party for bringing up a serious issue in the entire North Rift.

Transport is a key driver in economic transformation. We are experiencing a serious challenge along the Northern Corridor, especially within Kesses. Several non-tariff barriers have been mounted by the police starting from Timboroa. There is one at Ainabkoi Junction, Kondoo, Burnt Forest Tarakwa Polling Station and Bayete Centre. The worst one is at the junction of Cheptiret Police Station. There is another one at the Eldoret - Nairobi Road Junction. I want to know why there are all these non-tariff barriers. This is a corridor that enables transport criss-crossing landlocked countries. The barriers interfere with transport in the region, especially since this is an agricultural centre. The toll stations are not registered and we do not know where collections done by officers go to. What are the plans by the Government to ensure that we ease transport, support businesses and communication between countries within the East African Community (EAC)?

Thank you.

Hon. Speaker: Hon. Daudi, is that you? Hon. Daudi from Wajir East.

Hon. Aden Mohammed (Wajir East, JP): Thank you, Hon. Speaker and the Prime Cabinet Secretary. My question is with regard to production subsidy. Prime Cabinet Secretary, what plans do you have for production subsidy in the livestock sector? I have heard of fertiliser, tea and coffee. Are we still going back to the Sessional Paper No.10 of 1965, and forgetting the rest of Kenya?

Hon. Speaker: Only one question. You are done. Hon. Kamket since you Chair, it means your question is asked. Hon. Pukose.

Hon. (Dr.) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker. Prime Cabinet Secretary, you have given the measures that the Government is planning, when do we expect the economy to improve?

Hon. Speaker: Thank you. Prime, those are six, I will take two more. Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Speaker. Could the Prime Cabinet Secretary tell us why the Government has not considered supplying seeds to the farmers together with fertiliser? I do not think it is important to supply fertiliser without seeds knowing that farmers have gone for a long time without rains and therefore they do not have seeds. Thank you.

Hon. Speaker: Woman Representative, Mombasa.

(Loud consultations)

You look like your colleague from Kwale.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante sana Bwana Spika. Swali langu laenda kwa Waziri Mkuu. Ningependa kujua kule Dongo Kundu *Special Economic Zone* mmetumia mbinu gani kufidia wale waliopokonywa mashamba yao ili kufanya huo mradi? Kuna tetesi kuwa kuna yule pengine alikuwa na ekari saba ama kumi amepewa *only 50 by100*. Natamani sana kujua. Asante sana.

Hon. Speaker: Last on this round, Irene Mayaka. Members, be patient. I will give enough time to ask questions. There will be another round.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Speaker. The Prime Cabinet Secretary talked about the war in Ukraine being one of the issues causing our economic issues. My follow-up question is particularly on the importation of wheat because it is one of the things we import most from Ukraine. Seeing that there is still no solution to the conflict, what are the auxiliary measures that the Government is putting in place to make sure they cushion *mwananchi* because as we all know wheat is one of those products that we get a lot of foodstuff from? Thank you.

Hon. Speaker: Thank you. Prime Cabinet Secretary those are nine supplementary questions. You may answer.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Thank you, Hon. Speaker. I will respond not necessarily in any specific order. First of all, I want to mention that some of the immediate steps the Government has taken to try and deal with the crisis is waiver of duty on some of the food products that are coming in during this period that we are going through. The records we have are that in this process of waiver, the Government has waived close to Ksh10 billion worth of food that is coming in. What is critical is that we have a record – although I may not have it at this point in time – of the people who have imported and my message to them is that we look forward to them immediately passing the benefit of that duty waiver to the consumers. If they do not, then some other steps will have to be taken. I want to make it very clear to all those who have been part of the programme where duty waiver has been granted to make sure they do not delay in passing that benefit to the ordinary *mwananchi*.

On the issue of debt crisis, I think there is a Bill that is either before the House or it is about to come where we want to adjust the law so that we move away from a debt ceiling and start talking about debt anchor. I would want to hold my horses here in the sense that during debate on this particular aspect, the Cabinet Secretary, Treasury, will speak more on the programmes and the approach we want to have on this debt menace that we are facing. Some of the things we have outlined – and they are not new because some of us have spoken about them before – are that we will have to continue working on the fiscal consolidation looking at enhanced revenue collection measures so that we are less dependent on external funding.

Secondly, we are making it very clear that it is our intention to focus more on concessional borrowing where we are borrowing externally and shy away from commercial borrowing. This is particularly critical as we move along.

The other thing is that we have to cut back and focus on our real priorities. You will recall that in the very early days of President Ruto's Government, he made a pronouncement that he was cutting back about Ksh300 billion of expenditure programmes that were not regarded as priority expenditure. So, this programme of both fiscal consolidation of those that require enhanced revenue collection and also refocussing on our priorities will continue for as long as it takes.

I want to confirm that the subsidy on fertilisers will have to be with us for a little longer, and indeed I want to confirm that this has been factored in the 2023/2024 Budget so that we can continue to focus on production and productivity.

On consumption subsidies, I would like us to say that we cannot in all sincerity sustain it. As a nation, we have to be honest with ourselves, and one of the areas that I can give you as an example is that when there was the subsidy on fuel, it was costing the Government of Kenya, which includes yourselves as taxpayers, about Ksh16 to Ksh20 billion per month. That was impossible to sustain. So, no matter who would be in the driving seat of Government, it is not practical to sustain that kind of subsidy. However, even as the Government removed the subsidy on petrol, we were alive to the fact that diesel is used in public transport, by the farmers and other critical areas. We have maintained some measure of subsidy on it and also on kerosene because it affects the ordinary man more than anything else.

Hon. Speaker, when we talk about fertiliser, it is not just the one used for planting but it also includes top dressing fertilisers that may be required in other areas. I also want to assure the Member for Wajir that in my statement, I mentioned that there are also livestock programmes to support livestock farmers or pastoralists who have lost their livestock. I gave a figure of about 2.5 million herds of cattle, goats and sheep combined. They lost a lot of money through loss of livestock during the drought period. With our development partners, there are efforts to support them in restocking, and to also support offtake as we move forward. It is absolutely critical that the efforts that come into this sector are holistic, and not directed to the isolation of the livestock farmer.

Hon. Speaker, there is a question on how long it will take to recover. I want to be very honest to this House and the Kenyan people. Having had an opportunity to serve as a Minister for Finance before, in a moment of crisis, I want to state to the Kenyan people that we are in this for a long haul. The circumstances that we are in cannot be wished away like instant coffee. I have said this a number of times. We are going to focus on priorities, and have them sustained consistently and religiously. From a personal perspective, as Kenyans, we need to be prepared to have about two years of challenges.

However, there is hope. It is in that process of sustained good policies consistently being put in place, and looking at them and working from a unified view point as Kenyans, that we shall be able to turn around the economy. I have highlighted the huge public debt and the exogenous factors like the Ukraine war. We have no capacity to determine when the Russia - Ukraine war will come to an end. It is beyond us. It will take a lot of international effort and the goodwill of the combatants to deal with that. Therefore, as leaders, we have to be realistic to the people who gave us an opportunity to serve them that it will take a bit of time.

Hon. Speaker, I want to say that no situation is permanent. We shall overcome challenging times that we are going through now. I want us to believe in that.

(Applause)

Hon. Speaker, there are some questions that have been raised about the non-tariff barriers. I may not have an immediate answer, but I think it is a very valid point. I will take it up with my colleagues in the Ministry of Roads, Transport and Public Works, so that we can have a holistic response to this at a later date. It is true that the non-tariff barriers are not just an obstacle to international trade, especially when they are in the arteries, but also to the local trade in the country. I do not know whether there is anything else...

Hon. Speaker: Prime Cabinet Secretary, there was a question from one Member on why you are not simultaneously giving the subsidy on planting and top-dressing fertiliser and seeds.

As you take that, there is also a non-related question from the County Woman Representative for Mombasa County about Dongo Kundu compensations.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Hon. Speaker, I was going to come to that. Can I make a commitment that we will relay this particular concern to the Ministry of Lands, Housing and Urban Development so that we can get a very accurate position on the aspect of compensation in Dongo Kundu?

I agree that when we talk about production, we also need to support the farmer, and not just with fertiliser. I have said that there will be fertiliser for planting and top-dressing.

The issue of seeds is a vital point. I can only commit that in the package to the farmers, the Government will also enhance support on seed. I mentioned in my statement that we provided some seeds to people in the drought-stricken areas. There was support of about 50 million in terms of seeds that the Government has already given out. We will also see how that particular area can be enhanced.

Hon. Speaker: Thank you. We will take another round. Member for Kipkelion West, Hon. Hilary.

Hon. Hilary Kosgei (Kipkelion West, UDA): Thank you, Hon. Speaker. I thank the Prime Cabinet Secretary for the long response. He has alluded that the public debt consumes a substantial portion of our budget, and that the interest cost is the single largest expenditure item in our recurrent budget, exceeding the wage bill and the county equitable share of revenue. I would like to ask if there are any attempts by this Government to negotiate for the restructuring of these huge and expensive loans to give the economy some breathing space as we get other measures to revive it locally.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. James Nyikal.

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Speaker. While appreciating the measures that the Government has taken, I would like to ask the Prime Cabinet Secretary some questions on energy. Energy is probably one of the biggest drivers of cost of living. I did not get any information on power and how the Government is intending to deal with Independent Power Producers (IPPs) whose contracts, as we are all aware, have caused very serious impact on the cost of power.

Fuel distribution is also a problem. Previously, the Energy and Petroleum Regulatory Authority (EPRA) has allowed big importers to make prime profits without any profit margin for the resellers in the middle. Many have been driven out of business leaving just the big importers, who are also resellers. Most of these importers are foreign. This has created a situation of cartel behaviour in the fuel industry.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Member for... I cannot see you clearly. The Member right in front of me. Who is it?

(Hon. Ruku GK spoke off the record)

Hon. Ruku, you said you did not have a question!

(Laughter)

You may decide whether you want to ask or not. Hon. Martin Wanyonyi.

Hon. Martin Wanyonyi (Webuye East, FORD-K): Thank you, Hon. Speaker. My Question to the Prime Cabinet Secretary is this: Can he tell the country the maize deficit that the country has, and how much maize they are planning to import?

Further, what plans does the Government have to ensure that the prices of maize that we are planning to harvest in the next three months is not affected by this imported maize in the country?

Thank you, Hon. Speaker.

Hon. (Dr.) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Speaker. I want to appreciate the presentation by the Prime Cabinet Secretary. He has given very good proposals on how to move the economy forward and of interest are two issues. One is on how to address food deficit - the issue of fertilisers. You realise fertiliser is given to all farmers who register in the regions identified. The question I want to ask the Prime Cabinet Secretary is: Has anybody thought of improving the efficiency and optimisation of the results by doing proper targeting? So, rather than giving fertiliser subsidy to every farmer, you target the farmers to benefit for purposes of optimising the results.

Another important issue is Government-to-Government arrangement. This is a very good and creative idea but it is normally useful in accountability and oversight. I would want to hear: What measures are in place to ensure as we engage in this important strategy, we are assured of accountability and oversight by key institutions like Parliament?

Thank you, Hon. Speaker.

Hon. Speaker: Prof. Phylis Bartoo.

Hon. Phylis Bartoo (Moiben, UDA): Thank you, Hon. Speaker. I appreciate the fact that farmers were given subsidised fertiliser during the planting season. The 'Prime Minister' has rightly said they support farmers from the planting season all the way. Unfortunately, the top-dressing fertiliser is currently selling at Ksh3,500 which is very high compared to previously when it was below Ksh2,000. Are there plans to bring down the top-dressing

fertiliser to affordable price for the farmers? This is the time they are supposed to be top-dressing and it is very crucial but unfortunately the fertiliser is very expensive.

Hon. Kassait Kamket (Tiaty, KANU): On a point of order, Hon Speaker

Hon. Speaker: Thank you. Hon Bensuda. What is out of order, Hon. Kassait Kamket?

Hon. Kassait Kamket (Tiaty, KANU): I do not know whether you have heard the Hon. lady refer to the Prime Cabinet Secretary as Prime Minister. Even Prof. Nyikal referred to him as Prime Minister. Hon. Speaker, do we have the Prime Cabinet Secretary here or a Prime Minister?

Hon. Speaker: Hon. Kassait Kamket, I would rather you get preoccupied with some substance.

(Laughter)

Hon. Atieno Bensuda, give her the microphone.

Hon Atieno Bensuda (Homa Bay County, ODM): Thank you very much, Hon. Speaker for giving me this opportunity. I think we are discussing very fundamental issues. I want to appreciate what has been presented and state categorically that it appears too theoretical. I do not see how this will practically address issues of Kenyans in the short-term. For the long-term we can wait to see and hope as has been said but remember Kenyans are suffering. My first question is...

Hon. Speaker: Only one question so you do not have a first one.

Hon. Atieno Bensuda (Homa Bay County, ODM): Okay, but you will allow the commas in between because they are subsequent of my question.

Hon. Speaker: Yes.

Hon. Atieno Bensuda (Homa Bay County, ODM): I want to ask on the demystification of the monetary policy because Kenyans are watching as we ask questions, get responses and clarifications.

So, could we have clear demystification of the monetary policy practically addressing the economic situation? Also, what mitigation, approaches or strategies do we have that will pull down the economic situation and ensure food, fuel and any other subsidy are brought down practically? This is because what has been presented is not convincing. We are still living in the future and we should have a strategy that will cushion in the short-term, elevate in the mid-term and we should be told what is left for the long-term.

Thank you, Hon. Speaker.

Hon. Speaker: Major Raso.

Hon Ali Raso (Saku, UDA): Thank you very much, Hon. Speaker. Prime Cabinet Secretary, in your response you said that one of the problems is dollar supply. In a recent committee visit to the United States of America, our engagement with the diaspora brought out that many Kenyans out there want to invest in this economy through dollars. What is the Government doing to approach these Kenyans without much bureaucracy so that we are able to have enough dollar supply from Kenyans out there? Thank you, Hon. Speaker

Hon. Speaker: Hon Kakai Bisau.

Hon Bisau Kakai (Kimini, DAP-K): Thank you, Hon. Speaker for giving me this opportunity. The Prime Cabinet Secretary, thank you for the quick overview and honest feedback to this House. You said that for about two years we have to fasten our belts because of the hard times. My question is: You mentioned about the ship having docked on 13th April 2023... Yes, Government-to- Government is a good initiative. Based on the Master Long-Term Agreement (MLTA) that has been signed, would you be specific on your expectation in the short-term in terms of a litre of petrol, diesel and most importantly kerosine based on the ships

that have docked? I am sure there were some simulations, numbers were cracked and something was worked to ensure we have specifics in terms of cost.

Finally, from the maize production area with a target of 50 million bags, we ended up harvesting about 34 million bags. I would like you to reassure this House that the recently received fertiliser has been tested and will give a bumper harvest. This is because we are mostly talking about the weather and rains. I would like you to reassure us that the fertiliser we have received will give a bumper harvest.

Thank you, Hon. Speaker.

Hon. Speaker: The last on that batch, Hon. Mwangi Mutuse.

Hon. Mwangi Mutuse (Kibwezi West, MCCP): Thank you, Hon. Speaker. Briefly, I wanted to find out from the Prime Cabinet Secretary whether indeed there are plans by the Government to contract farmers in Zambia to plant maize on our behalf. If there are such plans, why can the same not be done with the lands that are idle under the Agricultural Development Corporation (ADC), Kenya Prisons and other local farmers?

Thank you, Hon. Speaker.

Hon. Speaker: Prime Cabinet Secretary, you can answer those 10 questions.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Thank you Hon. Speaker.

Let me talk a little bit on the issue of energy because a number of Members have raised concerns on the cost of energy. In my statement, I said one of the things we are pushing is to open up the energy sector for more players to come in. So, we move away from having a club of a few players in this sector. I gave an example of the Liquefied Petroleum Gas (LPG) gas where we have more players coming in.

I know the Government also set up a committee to look into the various International Petroleum Development Agreements (IPDAs) so that they can be rationalised in accordance with the terms of agreement. I think the Ministry of Energy will bring specific reports on this area in due course. We want to encourage the big traders in this sector to work alongside the small traders. So, we will encourage free market and competitive processes in this sector, except for a situation where we are going through this crisis.

Hon. Speaker, when we talk about energy, we also talk about electricity. I have highlighted two key factors. One of them is that the exchange rate of the Kenya Shilling has taken a beating and this feeds into the cost of fuel, including diesel and ultimately even the cost of electricity. These are factors that we have to consider.

It is important to also know that we are diversifying as a nation by encouraging more investment in the geothermal sector so that we stop relying on rains. We need to rely less on hydro which takes very long to develop. We are increasing our capacity and potential in energy through a lot of investment in the geothermal, solar and wind areas. We hope that in the not-too-distant future, all these investments will come to bear and help reduce the cost of doing business in this country. This includes the cost of electricity which is critical in production in many areas.

I want to assure Members that the import programme is being monitored so that it does not undermine the local farmers. This is something we are watching very closely. The projections from the Ministry of Agriculture should indicate to us if we are true to the programme we have on imports and make sure that it ends before August. When the harvest season sets in the local farmer will not suffer. This is something that we are monitoring very closely through the Ministry of Agriculture.

Hon. Speaker, allow me to highlight the following. If you look at, say, maize importation - it is actually on the table appearing in the written Statement that I have given - you will notice that in 2023, we may have about 2.4 million bags of maize, about 3.6 million bags of wheat, and about 4.8 million bags of rice coming in. Cumulatively, we are talking about 10.9 or 11 million bags of cereals that are coming in as staple food. We also project to import

close to 240 million bags of beans this year. This is a cycle and it is very important that when we engage in the import programme, we look at timely delivery of whatever is required; it should not coincide with the local harvest.

On targeted distribution, we rely on a lot of good data from the Ministry of Arid and Semi-Arid Lands and the Ministry of Agriculture. They are able to map out very clearly which other areas are most needy. They have been doing well on this one. People who require food have been supported. In fact, over four million Kenyans across the country in different counties have benefitted from interventions by the Government and support from some of our development partners. We have been able to feed close to 4.5 million Kenyans during this crisis period. There is order in that process. Coming back to the wheat issue, as we said, Russia and Ukraine are in a state of war and we do not know when it will come to an end. Commodity markets also respond... If a certain area is producing enough, say, wheat, then there are alternative markets we can source the wheat from.

On the issue of monetary policy and price stability, the best you can say is that I will not run away from what I have said. To achieve monetary and price stability, you ought to have a confluence of many different policies being tackled simultaneously. For instance, as a result of inflationary prices going up, the Central Bank of Kenya (CBK) has adjusted its rate to 9.5 per cent. It wants to make sure that it subdues the inflationary pressures. I also want to state without blinking that we have mitigating factors which are short-term. Some of them are duty waivers on commodities that are essential. We also have Government-to-Government interventions. Over and above that, there is the cash transfer programme to assist needy communities in our country. Resources are being channelled to the needy to help them during this difficult time. It would be foolhardy for me to stand here and tell Kenyans that you can have an outright instant solution to the recovery of the economy or turning it around.

(Laughter)

On a light note, I think it is important to say that when I served as Minister for Finance in 1992, one of the things that we had to do to trigger the economy and get it going again was to remove price controls. At that time, we were removing price controls in a very highly inflationary period and a very well-seasoned politician and elder of this country, the late Mzee Jaramogi Oginga Odinga, referred to my policies as 'ill-advised' policies. That was not a simple person speaking, but he said it was an 'ill-advised' policy. It was a kind of painful decision that we had to take to start turning the economy around. As we speak here, we will have short-term mitigation factors like the duty waiver, but then we must also get out of the duty waiver because we cannot live with it forever. We also need revenues. It is an intervention that comes in for a short space of time and after that, we have to exit it and make sure that we collect what is supposed to be done.

Hon. Members have also raised an issue about the resources that come from diaspora and whether we can have instruments that can attract investments from them. I know for sure that the National Treasury is working on this matter. They are looking for ways of having vehicles that can be attractive investment instruments to allow Kenyans to invest what they earn when they are out there. Sooner than later, some pronouncements will be made with regard to this particular matter. I do not want to pre-empt. The issues have to be well thought-out so that we assure Kenyans that in case they put their money in that place, it is safe and sound and it will grow. That is what I can say so far, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Members, those who want to ask questions on this are Yusuf... His next Question is very closely related to this one. I will still give him a chance. Yusuf, you may ask Question 118/2023. Order, Yusuf. Makali Mulu, what is your problem? I know you asked the Prime Cabinet Secretary whether....

Hon. (Dr.) Makali Mulu (Kitui Central, WDM): I asked two specific Questions.

Hon. Speaker: I am just paraphrasing it. You asked whether the G-to-G arrangement is being sufficiently protected from abuse.

Hon. (Dr.) Makali Mulu (Kitui Central, WDM): Exactly. You are right.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Thank you, Hon. Speaker. Sorry, *Mheshimiwa*. Let me try and deal with that.

You have a point. Whatever we do, we must be accountable. One of the things we want to pursue as Government... We normally talk about 'whole of Government' approach, but we also want to talk about 'open government' approach. In the open government approach, we want to make sure that the framework that we enter into shall be open. In my statement, I have said that there are agreements that have been signed and I have even given examples of those agreements. I am confident that the Ministry of Energy, at an appropriate time, will elaborate.

Hon. Speaker: Thank you. Yusuf.

Question 118/2023

PROVISION OF ADEQUATE RELIEF FOOD TO AREAS
SEVERELY AFFECTED BY DROUGHT AND FAMINE

Hon. Yusuf Hassan (Kamukunji, JP): Hon. Speaker, could the Prime Cabinet Secretary explain the steps the Government is taking to ensure that there is adequate relief food supply and distribution to the parts of the country severely affected by famine and drought?

Hon. Speaker: Prime Cabinet Secretary.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Thank you Hon. Speaker. I wish to respond as follows:

First of all, let me state that this is a programme that is domiciled within the Ministry of East African Community and the Arid and Semi-Arid Lands (ASALs). They have been doing a good job. But for purposes of record, I would just wish to highlight the following statistics. One, the current drought is ravaging many parts of the country and it has affected approximately 4.4 million people in the ASALs, and a further 500,000 people in nine non-traditional ASAL regions. In my statement, I have tabulated the counties that have been hit. They are 23 and an additional nine which are on the borderline. They are not exactly ASALs but they have been hit too. I do not have to go through the list because it will be available to the House.

At the same time Hon. Speaker, 970,000 children, that is, close to one million children below the age of five years have also been affected and are being supported. We also have about 142,000 expectant and lactating mothers who have also gone through very difficult times during this period.

We have lost more than 2.5 million livestock in different counties. This season, we are beginning to see some rain. We hope that it will last so that we can start the process of recovery. The worst affected counties are Marsabit, Garissa, Isiolo, Mandera, Tana River, Samburu, Turkana and Narok. In these areas, people are also displaced. First, there was the drought then some flash floods. It has affected quite a number of people.

In collaboration with our partners since July 2022, the Government has spent more than Ksh19 billion to cushion lives and livelihoods of affected Kenyans. These interventions are in terms of relief food, relief cash transfers, support to school feeding programmes, cash transfers under the Hunger Safety Net Programme, water tracking, and livestock off take. Cumulatively, it is about Ksh19 billion.

I also acknowledge that county governments have complemented the efforts of the national Government. They have been supporting all these areas that we are talking about with

food assistance, livestock feeds, and trucking of water facilities. Indeed, we need to acknowledge and commend the county governments for their role in battling the drought situation.

Hon. Speaker, we also estimate that development partners, the United Nation agencies, Non-Governmental Organisations, and other non-state actors have also plugged in approximately Ksh48 billion to support drought relief across the counties that have been affected. Again, Hon. Speaker, I will table the details rather than belabour the point to the House by reading one after the other.

There is also the private sector-led National Steering Committee on Drought Response. This particular committee has distributed about 163,000 food hampers worth more than Ksh450 million to approximately 978,000 Kenyans under the initiative dubbed *Wakenya Tulindane* Initiative.

Other steps the Government has taken to ensure relief supplies reach as many people as possible include collaboration with county governments and development partners to scale up relief and humanitarian responses, to save lives, alleviate suffering, and bring dignity to the affected parties. We want to enhance coordination of this drought response efforts to ensure relief supplies reach as many people as possible in the last mile.

We are also working to make sure that peace and security is maintained because it is necessary that for these efforts to succeed, we must support communities in promotion of peace and ensuring security. We are going to continue putting emphasis on women empowerment across the board and on youth education and empowerment. We are going to mitigate the effects of climate change across the country.

It is also important to note that the President announced a very ambitious programme. That in the next 10 years we can turn around a lot of the effects of drought if we can successfully plant 15 billion trees. That way, we will start reversing the impact of climate change and the drought that comes with it.

I think I will stop there.

Hon. Speaker: Hon. Yussuf.

Hon. Yussuf Hassan (Kamukunji, JP): Thank you, Hon. Speaker. I very much appreciate the Prime Cabinet Secretary's presentation. He has given us a picture of the assistance the Government is providing to communities affected by drought and famine. However, I note that Nairobi, with one of the largest populations suffering from poverty, is completely left out of the relief food distribution. There are pockets of abject poverty and increasing hunger exacerbated by high unemployment in the informal settlements in our capital city. These communities have no safety nets and often fall through the cracks. What measures is the Government taking to ensure that these neglected and disadvantaged communities in neighbourhoods such as mine in Kamukunji are assisted and supported through this difficult period?

Hon. Speaker: Thank you. Hon. Kamket.

Hon. Kassait Kamket (Tiaty, KANU): Thank you, Hon. Speaker. Alongside the fertiliser programme targeting farmers, could the Prime Cabinet Secretary and the Government in general consider grass seed given increased desertification in places where some of us come from, in order to help minimise movement of livestock and to help livestock farmers?

Thank you.

Hon. Speaker: Hon. Harun.

Hon. Suleka Harun (Nominated, UDM): Thank you, Hon. Speaker. I commend the efforts of the Government in distributing relief food. But I am a firm believer in teaching a man to fish. What are the plans to help ASAL counties to move from being consumer counties to producer counties? We have big tracts of land but little activity is ongoing. We just received the rains and floods are sweeping away our produce and livestock. There is little effort in terms

of constructing dams and water harvesting. It is not sustainable to continuously rely on relief food. It does not benefit the masses but only a few. We do not want to be back here on the same issue.

Thank you.

Hon. Speaker: Hon. Tandaza.

Hon. Kassim Tandaza (Matuga, ANC): Thank you, Hon. Speaker. I thank the Prime Cabinet Secretary for his elaborate answers to various questions. Mine is about the depreciation of the Kenya Shilling against the currencies of neighbouring countries. While it is clear that the government to government initiatives on fuel importation could ease depreciation of the shilling against the dollar, we face a serious challenge with neighbouring countries like Tanzania, which I border. A time like this last year, Ksh1 was exchanging at Tsh23. Now it has gone down to Tsh15. We rely on cross-border business for hustlers and low income people. What is the Government doing to cushion the depreciation of the Kenya Shilling against currencies of neighbouring countries?

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Caroli Omondi.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Speaker. It seems to me that a lot of decisions made by the previous administration in terms of loan procurement for infrastructure development and other initiatives are the cause of the current crisis. And it would seem that a lot of these decisions were made not for the public good but for private gain, what in common parlance we call 'state capture'.

I would like to know from the Prime Cabinet Secretary how the current administration is planning to unwind transactions that have created serious negative impacts on the economy, whether at the level of exchange rate or interest rate or inflation. Is the Government going to conduct a serious economic inquiry to unwind the negative effects of state capture in our economy, as a long-term structural adjustment programme?

Thank you very much, Hon. Speaker.

Hon. Speaker: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. As the Prime Cabinet Secretary said, we experienced the worst drought in almost 40 years and the lowest harvest of maize in the last 10 years. As much as we appreciate what he has said that non-traditional ASAL counties like Kiambu County have benefitted from relief food during this drought period, I would like to hear from him what the Government is doing. Other than the non-traditional ASAL counties, there are urban areas like Nairobi and other major urban centres where slum dwellers are not able to access food. What measures is the Government taking to ensure that relief food reaches people in slum areas?

On an unrelated matter, the Prime Cabinet Secretary could also apprise the nation on what the Government is doing to check the proliferation of gangs. This question may have more to do with the Ministry of Interior and National Administration, but this afternoon we have witnessed the former President leading a gang of goons to take over an office. In the region where I come from, *Mungiki* has been a huge menace. When we see *Mungiki* rising again, we get concerned. When we see elements associated with *Mungiki* being led by a former President, it becomes a matter of national concern. I beg your indulgence that the Prime Cabinet Secretary takes this occasion to address that particular issue.

Hon. Speaker: Hon. Lilian Gogo.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you very much, Hon. Speaker. In light of the explanations given by the Prime Cabinet Secretary on diverse issues that have contributed to high cost of living, he said that there are Exchequer delays and pending bills. He put forward a number of things that have led to this situation. Pending bills come as a result of not honouring services that have been procured in the right manner. As it were, we still continue

seeing Exchequer delays. I want to find out from the Prime Cabinet Secretary when we will have a cessation of Exchequer delays. When are we going to have disbursement of funds, especially the basic money that we Members of Parliament require like the National Government Constituencies Development Fund (NG-CDF)?

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Harrison Kombe.

Hon. Harrison Kombe (Magarini, ODM): Thank you, Hon. Speaker for giving me this opportunity. Before I ask my question....

Hon. Speaker: There are no preliminaries to questions. Just ask your question. That is the opportunity I have given you.

(Laughter)

Hon. Harrison Kombe (Magarini, ODM): Hon. Speaker, when the demand is high and the supply is low, prices definitely go up. What plans does the Government have to provide farmers in this country with boreholes fitted with solar panels to facilitate irrigation activities in ASAL areas such as Magarini, Ganze, other constituencies in Kilifi County, and other parts of the country?

Hon. Speaker: Thank you. Hon. Omboko Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Speaker, two things happened in the 12th Parliament. In October 2019, we increased the debt ceiling to Ksh9 trillion. On Wednesday, 8th June 2022, we increased the debt ceiling to Ksh10 trillion. The Mover of that Motion, Hon. Kimunya, indicated that the specific reason for the increment was to make sure that the new Government settles down. As well put by the Prime Minister, allow me to use his words, 'fiscal space'. They only have a fiscal space of borrowing about Ksh5 billion only. Does it mean, therefore, that we were not exposed to the correct understanding that the fiscal space for borrowing will be almost to a level of one trillion? Furthermore, Hon. Speaker....

Hon. Speaker: One question.

Hon. Omboko Milemba (Emuhaya, ANC): This is very interesting because 70 per cent of the interest rates that are consuming the highest recurrent expenditure charged on Collateral Finance Arrangements (CFAs) are from internal borrowing. What is the Prime Cabinet Secretary doing, from an economic point of view, to make sure that local borrowing is managed?

Hon. Speaker: Member for Dagoretti South, Hon. KJ.

Hon. John Kiarie (Dagoretti South, UDA): Thank you very much, Hon. Speaker. I thank earthquake Prime Cabinet Secretary for the elaborate answers he has given us this afternoon. In the same breath, I also thank the Member for Kamukunji for the questions. If what the Prime Cabinet Secretary has told us is applied and executed well, the short-term needs shall be satisfied well.

The people of Dagoretti South and Kenyans are keen to know, through this opportunity in Parliament that the Prime Cabinet Secretary has to address the nation, the long-term plans for us, as a country, to be able to move away from rain-fed agriculture. It is so that we can reduce instances of food shortages. It is the short-term planning that led us into the mess we are in. What are the plans to reduce over-dependence on maize and rice as staple foods? What are the plans on returning to organic traditional, regional appropriate and famine-resistant crops?

Finally....

Hon. Speaker: Those are too many questions. Ask only one.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Speaker, storage is important. If we do not apply the Joseph of the Bible principle whenever we experience glut, we shall always suffer. What are the plans on storage whenever we have excess production of food?

Thank you very much, Hon. Speaker.

Hon. Speaker: Thank you. Member at the back, you are not on the screen. Is it the Member for Kabondo Kasipul or Kasipul Kabondo?

(Several Members spoke off the record)

Is it the Member for Kasipul?

Hon. Charles Ong'ondo (Kasipul, ODM): Yes.

Hon. Speaker: Alright.

Hon. Charles Ong'ondo (Kasipul, ODM): Thank you, Hon. Speaker. Firstly, I appreciate the answer which the Prime Cabinet Secretary has given in reference to relief food distribution. What economic value does it have? I will give an example. Two weeks ago, relief food was distributed in Kasipul Constituency. The entire security in Homa Bay County came to my constituency. All political rejects led by the Cabinet Secretary, Ministry of Information Communication and the Digital Economy came with two choppers. My question....

Hon. Speaker: Order, Member for Kasipul. You will not use Question Time to besmirch others. As far as I can take judicial notice, the Cabinet Secretary, Eliud Owalo, was not a candidate in any contest in the last elections. It is unkind to call him a reject, when he never presented himself for any choice. It is good to be courteous even to the people you do not like.

(Applause)

Hon. Charles Ong'ondo (Kasipul, ODM): Thank you, Hon. Speaker for your correction. You are right. He is not a political reject but the team is.

(Laughter)

Of what economic value is relief food when it is brought and each person gets half a kilogramme of rice only yet it is an entire team with two choppers moving around doing the distribution?

Hon. Speaker: Prime Cabinet Secretary, you may answer those questions. We will do a final round after this. Hold your horses.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Hon. Speaker, let me pick up the issue of what we should do so that we do not rely on rain-fed agriculture. One of the key plans of the Kenya Kwanza Government is to intensify investment in dams, pans and water harvesting. I will give an example of Kwale County. The President, and I was there, launched Mwache Dam a few weeks ago. It is an investment which is supported by the World Bank and the Kenya Government. It will cost about Ksh18 billion in total. It will provide a lot of support and relief in sections of the Coast. Over and above this, the Government is making efforts to have dams in many other parts of the country. Recently, in collaboration with the Italian Government... There is great hope that the Itare Dam will be revived. The Aror Dam will also come up. We also know that not too long ago when the President was in Egypt for the 27th Session of the Conference of the Parties (COP 27), he had a conversation with the British Prime Minister, Sunak. There is a proposal that if things go well and all being equal, there will be a major investment in the High Grand Falls Dam in Tana River which will go a long way in alleviating the challenges of drought and flooding in that region. I have just given a few

examples, but there are very many programmes to support this under the Ministry of Water, Sanitation, and Irrigation. It is clear that we cannot continue relying on rain-fed agriculture.

With regard to the impact on the Kenya Shilling, I would like to reiterate that we peg our shilling to the dollar most of the time. In my remarks, I acknowledged that the shilling has taken a beating. I mentioned the factors that led to that depreciation, but efforts are now being put in place to stabilise the shilling. For example, there is the government-to-government programme which will ease pressure on the shilling in the short-term. I have also indicated that the National Treasury is deeply engaged with our development partners. We anticipate that in the next few weeks or months, we could also benefit from some in-flows of support from these development partners. This will go a long way in helping to deal with the depreciating shilling against other currencies.

With regard to the issue of Nairobi and other urban areas, it is true that the investment programmes that the Government must undertake, going into the future, must focus on urban areas. It is projected that by 2050, or even earlier, say, by 2034, we could have as much as 60 to 70 per cent of our population living in urban areas. Clearly, the focus and policies must be such that this new dynamic is taken seriously. In the meantime, the ongoing cash transfers have also been helping the needy within urban centres. They have not been exclusive to rural areas. Safety nets and school feeding programmes have also been covering some sections of our urban areas.

The proposal about looking at grass seed is a welcome suggestion, which our specialists can pursue further, particularly, in support of pastoralists in our country. We take it in good stride and it is something that we shall get our experts to pursue a little more to see how that can be strengthened.

We want to deal with Exchequer delays. Dealing with them will take what we call enhanced revenue enforcement, so that we collect more resources. We have to expand the tax base, so that we bring in more people to pay tax. We also have to intensify alternative dispute resolution mechanisms. So far, this has yielded very good results where billions of shillings that have been locked in disputes are now being unlocked by the Kenya Revenue Authority. We see this as a way of improving the issue of cash-at-hand. I want to tell Kenyans that we are going this route because our fiscal legroom is very limited. There is very little space. As somebody pointed out, we have mega debts. Therefore, we have to intensify and improve in other areas, so that we do not just continue on a borrowing spree. This is absolutely critical.

We also acknowledge that there has been a delay, not just in the disbursement of funds that support parliamentary activities, but also in disbursements to county governments. This is something that we want to address. The President and I have had conversations with the National Treasury to see how we can smoothen this process, so that going forward, we can distance ourselves from these delays, including the delays that we saw in salary payments last time. These are challenges. I would like Kenyans to appreciate that these are not overnight occurrences. We are going through a cumulative effect of consistent omissions and commissions over a very long period, which has brought us here. Without apportioning blame because we have been elected and it is our duty to get us out of that hole, accountability will have to come into play along the way.

(Applause)

Somebody would like to make it seem like, maybe, President Ruto's administration is on a revenge mission. However, the fact of the matter is that we cannot stop the reports of the Auditor-General. They will come to this House. Knowing how the Office of the Auditor-General operates, those reports will be very accurate and they will pinpoint various issues. The House will have to deal with the reports of the Auditor-General. Those who think that they

may have got away scot-free should know that this House is waiting for them down the line when you receive the reports of the Auditor-General. This is a message that all of us need to be alive to. It is not a personal agenda or vendetta against anybody. Parliament has a broad mandate. If Parliament looks at those reports and sees it fit to commission or order for an inquiry into any of those transactions, then the Government of the day will have no option but to abide by the resolutions of Parliament.

In response to the issue of state capture, if Members feel that there should be an inquiry into it, who are we to go against the resolutions of Parliament when they come?

I want to reiterate that we are committed to the rule of law as a country. That is what we also campaigned on. We said that we wanted to have rule of law. We want to state categorically that nobody is above the law.

(Applause)

Even if there is the kind of provocation that we can see in certain quarters, we will still observe the rule of law while at the same time exercising restraint from being seen to be or even being vindictive. It is not the intention of this Government to be vindictive. I think it is equally important that provocation be put aside so that we can move ahead as a country. We should not destroy anybody's property. We should not engage in handling illegal arms. This is something that will be taken up seriously by the law enforcement authorities. If we want to turn this economy around and get investors here, we must move on. Let us move away from the temptation to imagine that we can have elements where we want to provoke a situation where the Government is seen either to be ineffective or vindictive. That is not the agenda.

We want to focus on uniting the country, bringing people together, and making sure that we can turn the economy around so that all these pressures that we are facing in terms of the cost of living, difficulties, and challenges can be put behind us. We all want to see this country grow and jobs created. Our programme in the Kenya Kwanza mission is very clear — we want to deal with the housing programme, create jobs, bring in foreign direct investment, and grow local investment. We can only do that if we have sound policies and at this point more of them will come up when the Cabinet Secretary, National Treasury and Economic Planning will be making his remarks in a few weeks' time.

Asante.

Hon. Speaker: Hon. Members, can we stop here?

Let me give the last five Members some few minutes. There are those who have consistently raised their hands. Hon. Rindikiri, you had a bite already. Let us give room to others. Let us have the Hon. Member behind you, the Member for Kangema.

Hon. Peter Kihungi (Kangema, UDA): Thank you, Hon. Speaker. Mine is on the Exchequer release mostly to the counties. I remember between 2007 and 2013, the Prime Cabinet Secretary was the Minister for Local Government. He gave a directive to all local authorities to clear all pending bills by 2013. By 2013, I think the Prime Cabinet Secretary can bear me witness, all the local authorities had managed to clear all the pending bills and some local authorities like the county councils had a surplus in their accounts when the new counties were coming in. For the few days there was a delay in Exchequer release, all the county governments could not pay their staff.

In the Financial Year 2013/2014, the cumulative budget for Murang'a County was around Ksh1.5 billion. That was the budget estimate for the first Financial Year 2013/2014. The budget for 2020/2021 for Murang'a County was Ksh500 million. An amount of Ksh1 billion had already vanished. The national Government is doing all efforts to make sure that they manage revenue collection. The county governments are doing very little on revenue

collection. We cannot have a government that is doing nothing on revenue collection. If you check 2013...

Hon. Speaker: Hon. Kihungi, you are making a speech. I gave you an opportunity to ask a question.

Hon. Peter Kihungi (Kangema, UDA): Thank you. I wish the Prime Cabinet Secretary could come up with a device to manage the way local authorities are managing their revenue collection.

Hon. Speaker: Thank you. Your point is made. Hon. Mulyungi.

Hon. Charles Ong'ondo (Kasipul, ODM): On a point of order!

Hon. Speaker: Yes. Hon. Member for Kasipul Kabondo, what is your point of order?

Hon. Charles Ong'ondo (Kasipul, ODM): Thank you. Correction! I am the Member of Parliament for Kasipul.

Hon. Speaker: Kasipul.

Hon. Charles Ong'ondo (Kasipul, ODM): Yes, Hon. Speaker.

Hon. Speaker: Thank you.

Hon. Charles Ong'ondo (Kasipul, ODM): I raised a question on economic value in distribution of relief food.

Hon. Speaker: I heard you. This was on why two helicopters come to distribute food.

Hon. Charles Ong'ondo (Kasipul, ODM): Yes, but I have not received any...

Hon. Speaker: He will answer when he gets to the next round.

Hon. Charles Ong'ondo (Kasipul, ODM): Okay.

Hon. Speaker: You do not have to repeat.

Hon. Charles Ong'ondo (Kasipul, ODM): Okay. Thank you.

Hon. Speaker: Hon. Christine Ombaka.

I had given a chance to Hon. Mulyungi. Sorry, Hon. Christine. Let Hon. Mulyungi ask first as I had given him the opportunity then I will come to you.

Hon. Mulyungi, is it Kitui Central?

Hon. Members: He is not here.

Hon. Speaker: He is not there? Who is that Member whose hand is up? I thought...

Hon. Members: Hon. Basil, Member for Yatta.

Hon. Speaker: Oh, Hon. Basil. You look like Hon. Mulyungi from afar.

Hon. Robert Basil (Yatta, WDM): Thank you, Hon. Speaker. My question to the Prime Cabinet Secretary is: what is the Government doing to attract investors, generate employment opportunities, and open the economy?

Hon. Speaker: Hon. Christine Ombaka, proceed.

Hon. (Dr.) Christine Ombaka (Siaya County, ODM): Thank you, Hon. Speaker.

Mine is about cheap housing, which was part of news two days ago. There was news on cheap housing and they went on to say that the Government is planning to construct cheap houses and civil servants will be taxed to raise funds to construct them. I am wondering how possible that will be given that Kenyans are very poor, salaries are very low, and life is very expensive. Will you tax Kenyans again to raise funds to construct these houses? Is it practical? Can the Government postpone this project for the time being and come up with it much later? The situation is dire; it is too expensive for Kenyans to be taxed once more, especially for the cheap housing that the Government is talking about.

Hon. Speaker: Member for Garissa Township.

Who is calling for a point of order? Yes, Hon. Rindikiri. I hope it is not a guise for asking a question.

Hon. Mugambi Rindikiri (Buuri, UDA): No. Let me have the microphone.

Hon. Speaker: The microphone is next to you.

Hon. Mugambi Rindikiri (Buuri, UDA): Hon. Speaker, it is not good for the Hon. Member to issue a statement that is not factual. There is no taxation in the housing fund contributions. I want to make that point as the Vice-Chair of the Departmental Committee on Housing, Urban Planning and Public works. There is nothing like taxation. If there is any, it will be brought to this House. So, as to where I stand, there is nothing like taxation. That is wrong information.

Hon. Speaker: Member for Garissa Town. Hon. Christine Ombaka, it is only this House you belong to that can sanction taxation. So, be alert and if it comes, fight it. Otherwise, nobody can tax anybody without your approval.

Hon. Dekow Mohamed (Garissa Township, UDA): Thank you, Hon. Speaker. The Government has negotiated for a government to government fuel supply from the Middle East which has given them a credit facility of six months. I would like to ask the Prime Cabinet Secretary whether the same facility can be passed on to oil marketers considering that the Government has not been able to reimburse almost Ksh55 billion in fuel subsidy for the last one year.

Hon. Speaker: Hon. Jayne Kihara, Member for Naivasha.

Hon. Jayne Kihara (Naivasha, UDA): Thank you, Hon. Speaker. Mine is not directly a question.

Hon. Speaker: If it is not a question, do not ask it.

Hon. Jayne Kihara (Naivasha, UDA): I need to request the Prime Cabinet Secretary to meet a group of small millers considering that everybody is working hard to bring the price of *unga* down and the Cabinet Secretary responsible is understandably very busy. They think that they have a solution to this problem. Could he be willing to meet them?

Hon. Speaker: Hon. Prime Cabinet Secretary, you can answer those five and we will close there. Hon. Fred Ikana, you will ask another day. I want to end this segment here.

(Hon. Mugambi Rindikiri spoke off the record)

Prime Cabinet Secretary, just hold on. I will allow questions from Hon. Rindikiri, Hon. Alice Ng'ang'a, and Hon. Ruku, whom I curtailed earlier on. One quick question each. Hon. Rindikiri, I hope it is an important question.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Speaker. Sorry for being persistent. You will recall that two months ago, I asked a Question on determination of Arid and Semi-arid Lands programme for the counties which are not in the programme. I presented the Question to the Ministry of East African Community, ASALs and Regional Development. When I went there, I was told the Question needs to be referred to the Ministry of Agriculture and Livestock Development. I went there, but I was again referred to the Ministry of Interior and National Administration. I went there and I was again referred to the Ministry of Education. As I am speaking now, there are people from the Commission on Revenue Allocation in Meru, who are doing a determination on the same.

From where I sit, I know we have a Principal Secretary in charge of Parliament. Which organisation, Ministry or multi-agency deals with determination and classification of ASALs programmes, specifically for the areas that are not known and which have been affected by climate change?

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Alice Ng'ang'a.

Hon. Alice Ng'ang'a (Thika Town, UDA): Thank you, Hon. Speaker. First, I want to thank the Prime Cabinet Secretary for the responses he has given us today.

My question is simple: is he aware of the criteria that is being used to distribute relief food in some urban areas? We have heard that some constituencies have received food while

others have not. Why are Cabinet Secretaries and Principal Secretaries going to constituencies without involving elected leaders?

I also did not hear the answer you gave on the resurgence of the *Mungiki* group accompanied by their newly formed leadership. I would want to hear the responses to those questions.

Hon. Speaker: Hon. Ruku.

Hon. Ruku GK (Mbeere North, DP): Thank you, Hon. Speaker. Standards across the world have proved that investment in education can never be a burden to the national budget. What has the Government done as far as junior secondary schools are concerned in relation to ensuring there are processes in work? The first term of the junior secondary school education has been a scam.

Hon. Speaker: Hon. Ruku, are you not being unfair to the Prime Cabinet Secretary? He is here answering Questions that are very clear and pointed, but you are now veering into education. He will just tell you he will inform the Cabinet Secretary to come and answer.

Hon. Ruku GK (Mbeere North, DP): He is the Prime Cabinet Secretary, and he is in charge of all these ministries.

Hon. Speaker: Go ahead, but the rules of relevance will be enforced in future.

Hon. Ruku GK (Mbeere North, DP): I wanted to know from the Prime Cabinet Secretary whether there are any efforts to ensure the junior secondary school education is in line, otherwise, we might lose a generation.

Hon. Speaker: Thank you, Hon. Ruku. Hon. Onchoke, you will be the very last.

Hon. Charles Onchoke (Bonchari, UPA): Thank you, Hon. Speaker, for the opportunity. Earlier on, in his answers, the Prime Cabinet Secretary attributed the current economic situation to huge public debts, and part of it to State corporations. I am just wondering if he could explain what the Government is doing to control debts emanating from State corporations because they are most of the time forgotten.

Hon. Speaker: Thank you. Prime Cabinet Secretary, you can answer those nine questions and we close it at that point.

(Hon. Mohamed Bidu spoke off the record)

Who is that? Hon. Mohamed, you will have a bite another day. I am afraid we must come to an end.

Prime Cabinet Secretary, let us take the question from the Member of Parliament for Isiolo.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Okay.

Hon. Speaker: *Mheshimiwa*, please, take the opportunity to ask your question.

Hon. Bidu Mohamed (Isiolo South, JP): Thank you, Hon. Speaker. I was directly...

Hon. Speaker: You have already said that. You can now ask your question.

Hon. Bidu Mohamed (Isiolo South, JP): I am sure you are now seeing me.

We have faced a very heavy drought for four years. We have been thinking about interventions from all the departments, farmers, ASALs and semi ASALs groups. What kind of intervention should we wait for from the Government? Farmers in other areas have been given fertilisers and seeds. What will the Government give pastoralists who lost their livestock? It is clear that it is the pastoralists who lost what they had. Can we have restocking? The Prime Cabinet Secretary said there was an offtake plan. However, I do not know whether it is the offtake of the drought or the Government's offtake. Can we get something tangible in the name of restocking?

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Member, if you have been attentive, that question was asked and answered. The Prime Cabinet Secretary said they are not only focused on crops but they are also going to help livestock farmers with restocking, provision of grass, and other support services.

Go on, Prime Cabinet Secretary.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Thank you, Hon. Speaker. Let me deal with the question from the Member for Kasipul. It is good that food was delivered to the people of Kasipul. We shall continue to support the constituency when we have a provision. The issue of cost of delivery is a valid point; food delivery to the needy must be done in a cost-effective manner. So, it is appreciated.

There was the issue of the Ksh57 billion subsidy. That was precisely the point I was driving home a little bit earlier when I said that the Government had to terminate this very punitive subsidy around fuel which was not even altering the pump prices of the fuel. We were spending close to Ksh16 to Ksh20 billion per month to deal with this subsidy. I acknowledge that there is a pending portion of about Ksh57 billion, but this was because that subsidy, if I may use the words I used earlier, was ill advised. We are now suffering the consequences of that fuel subsidy, and that is why we have eliminated it.

On the issue of housing, to the best of my knowledge, no tax has been put into effect. There is a misinterpretation of a message that went out that we want to grow savings. We want to grow our savings through contributions from the employer and the employee to the National Social and Security Fund (NSSF). That was the message. It was then distorted to give the impression that we are talking about taxing for the low-cost housing. I hope this helps to resolve that issue.

Hon. Speaker, I also want to state that some measures we pronounced here and many others are geared towards stabilising the economy and attracting foreign direct investment. For instance, we have special economic zones which are being put up. We have seen measures like pronouncements from the national Government encouraging counties to set up industrial zones. The national Government will match the funds they put on the table so as to grow industrial zones all over the country in the 47 counties.

On sound monetary policy and the rule of law, if there are people marching in the streets with *Mungiki* and guns, surely, they are not attracting foreign direct investment leave alone local investment.

(Applause)

We have to grow out of these awkward practices and move forward to get the country back on its feet. Our Constitution is very clear that when a Government is elected, the President has an opportunity to serve his first five years. Then, if people are comfortable, they will elect him for another five years. In the wisdom of this country, Kenyans have embedded that and it cannot be changed. We must make it very clear that it is not possible for anybody to have a second bite at the cherry. We now must move forward.

I want to say there is no Kenyan maize being grown in Zambia. We have to work hard at diversifying our food crops and diets, so that we reduce overdependence on maize. This is absolutely essential. That is why I made some remarks that we are also encouraging growing of traditional crops. We have issued seedlings of some crops so that we can have diversity. When we have a challenge with maize, Kenyans will not starve but use alternative food crops.

Next is the question of determining who qualifies for support under the ASALs programme. Usually, a variety of criteria are deployed. We have experts who assess the situation and criteria like availability of food. We also work with international partners to determine early warning systems. There are various surveys that are conducted to let us know

the most vulnerable groups. There are many different parameters used to determine who is needy when it comes to support. That is why support is targeted and it is not for everybody. It is not practical to have everybody on cash transfer. We specifically identify who will be a beneficiary of it.

I want to say the message of county governments enhancing their own local revenue is absolutely important. In as much as the Constitution states the need to have revenue shared, I think it is important they also look at their own revenue sources and upscale them.

Hon. Speaker there was an issue of State corporations. This is something we will bring on the table. I want to appeal to Members of Parliament as follows: when the Abdikadir Committee made its report on public State enterprises, at that time there were 262 State corporations, Semi-Autonomous Government Agencies (SAGAs) and parastatals. The intention of that report was to reduce the State corporations to 150 because many of them are a drain or big load to the Exchequer.

Unfortunately, I have to report to the House that from the time the Abdikadir Report was made up to date, they are no longer 262 Government agencies but 350 plus. So, instead of achieving the reduction, there has been growth of these public enterprises. I want to appeal to Members of Parliament that when proposing their Bills, since they have a right to do so, they should critically reflect on whether it is necessary to create another agency in the Bill being proposed. As we speak, we are aware there are many Private Members' Bills on the Table and in the pipeline. Many of them are still proposing the creation of other public entities. This is not tenable and sustainable. We have to rethink. A lot of the public enterprises we have today, we can simply amend some laws and broaden their scope rather than duplicating entities that repeat the same thing. This is a very passionate appeal to this august House to scrutinise Bills so that we are not in the habit of creating more and more State agencies. Otherwise, what will ministries be doing? Unless it is extremely essential to create them, I want to seek the intervention of the House to ensure Bills help in shaping the economy as we move forward.

On the issue of junior secondary school, this is a big challenge. Hon. Members, there is a taskforce that was appointed by the President to look at the challenges around the Competency Based Curriculum (CBC). This taskforce is about to conclude and submit its report, which will guide us on how to navigate this very sensitive aspect; the education of our children. It is a matter which is very close to our hearts and the soul of the nation. How will we manage this process and do the right thing?

Ladies and gentlemen, the fact is that what the taskforce is doing now is something that should have been undertaken, in all honesty, before CBC was put on the table. Now that it is with us we cannot afford to cause anymore disruptions in the lives of our children, especially as far as education is concerned. We can only seek your indulgence that when the report of the taskforce comes through, we have guided and well-thought-out policies on how to move forward with this programme.

Hon. Speaker, on the issue of public debt and interest, I wish to reiterate that this is a challenge and we have to continue working on it. Many proposals will come on the table and I do not want to pre-empt. I want Kenyans and Parliament to appreciate that, as a nation, it is not in our interest to default on any of our obligations. They are sovereign obligations that we have no intentions of defaulting, but we will have to take very tough measures along the way as we move forward. If we get to the stage where we may have to have a conversation with some of our creditors, then we shall do so in a transparent manner. It has to be done in a way that will be beneficial to Kenyans in the sense of helping us ease the very stiff fiscal condition that we have been talking about. I think I have fairly exhausted a number of the issues.

Hon. Dekow Mohamed (Garissa Township, UDA): On a point of order.

Hon. Speaker: Yes, Member for Garissa Township.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): I think there was the issue of meeting the small millers.

(Hon. Dekow Mohamed rose on his feet)

Hon. Speaker: Please, sit Hon. Member for Garissa Township. Hon. Cabinet Secretary, there are two things pending. The question by Hon. Jayne Kihara about the small millers and the question by the Member for Garissa Township who is asking whether the benefits of government to government fuel arrangement can be cascaded to downstream players. Take your seat Hon. Member. I have paraphrased your question.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): I think I have dealt with the question on the small millers. It is an issue that we will take up so that we can have the conversation with them. The G-to-G arrangement is supposed to benefit everybody, including the downstream traders. It is not supposed to be confined to a few people. That is what we were running away from with all other subsidies. I will take it up with the Ministry of Energy and Petroleum.

I thank you.

Hon. Speaker: Thank you Prime Cabinet Secretary. Hon. Members, we must thank the Hon. Member for Kamukunji for bringing these two very important Questions that have captivated the House this afternoon. We have had close to 40 supplementary questions to his two Questions and they were cross-cutting. Well done, Hon. Yusuf and the Prime Cabinet Secretary. Thank you for answering the Questions clearly and candidly. You are now released to go back to your other assignments.

The Prime Cabinet Secretary (Hon. Musalia Mudavadi): Thank you, Hon. Speaker.

[The Speaker (Hon. Moses Wetang'ula) left the Chair]

[The Deputy Speaker (Hon. Gladys Boss) took the Chair]

Hon. Deputy Speaker: Next Order.

MOTION

RATIFICATION OF THE HAGUE CONVENTIONS ON CHILD SUPPORT AND PROTECTION

Hon. Alice Ng'ang'a (Thika Town, UDA): Thank you, Hon. Deputy Speaker. I beg to move the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Social Protection on its consideration of the Ratification of the Hague Convention on Civil Aspects of International Child Abduction, the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, and the Hague Convention on International Recovery of Child Support and Other Forms of Family Maintenance, laid on the Table of the House on Tuesday, 25th April 2023, and pursuant to the provisions of Section 8 (4) of the Treaty Making and Ratification Act, 2012, approves the Ratification of the following Hague Conventions:

- (i) Civil Aspects of International Child Abduction;

- (ii) Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children; and,
- (iii) International Recovery of Child Support and Other Forms of Family Maintenance.

Hon. Deputy Speaker, the three conventions were referred to the Departmental Committee on Social Protection for consideration in accordance with the Treaty Making and Ratification Act 2012 and Standing Order 170A. Thereafter, we gazetted the three treaties in the media on 5th March 2023 inviting the public to come and submit their memoranda on the three conventions. The deadline for the submission was on 30th March 2023, which we did not receive anything related to the three conventions. On Friday, 14th April 2023, we met with the Principal Secretary, Ministry of Labour and Social Protection, the Registrar of Treaties, Cabinet Secretary for Foreign Affairs and Diaspora and other officers of the Attorney-General's Office. We discussed these treaties at length.

In respect of the Hague Convention of the Civil Aspects of International Child Abduction, the Committee observed that the convention sought to protect children from the harmful effects of international abduction by encouraging prompt return of the abducted children to their country of habitual residence and to organize and secure effective right of access to a child.

Further, in respect to the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, the Committee observed that the convention sought to empower competent authorities to protect children and to cooperate in a wide range of cross-border situations offering states practical means to fulfil international obligation arising from the United Nations Convention on the Rights of the Children.

Finally, in respect to the Hague Convention on International Recovery of Child Support and other Forms of Family Maintenance, the Committee observed that the convention sought to ensure effective international recovery of child support and other forms of family maintenance. In light of the foregoing and pursuant to Section 8 of the Treaty Making and Ratification Act 2012 as read together with Standing Order 170A, the Committee recommends that the House approves the ratification of the of the following Hague Conventions:

- (i) Civil Aspects of International Child Abduction;
- (ii) Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children; and,
- (iii) International Recovery of Child Support and Other Forms of Family Maintenance.

Hon. Deputy Speaker, allow me to note that the approval of the three conventions is a landmark, and today is a historical day for every child, woman and man of this country. Why do I say so? Once this House approves the ratification of the three conventions, gone will be the days when men or women absconded their duties. Men will not abscond their duties by impregnating Kenyan women and running to other countries to avoid taking care of their children.

I would also like to point out that after Thika Superhighway was constructed, many Chinese children were left behind by the contractors from China. Once they were done with construction, we were left with too many Chinese children. As you know, Kenyan women did not know how to locate the fathers of the children after they left the country. With this treaty ratified and passed here, gone will be the days when fathers got children and left the country for diaspora taking zero parental responsibility.

Hon. Deputy Speaker, gone are the days when a parent would take away children, flee to another country and limit their access to the other parent. Two weeks ago, I visited Canada. While I was there, I met a lady who had moved to Canada with her family. After some years down the line, her husband came back to Kenya and left them there. She was not working and her husband did not care what they were going to do to feed and what the children were going to use to go to school. These Conventions will stop that. That is why, as a Committee, we are asking this House to adopt them so that we can protect our children.

Simply put, the three Conventions will allow Kenyan women or men who have judgements issued by Kenyan courts for custody, parental responsibility and maintenance or return of a child to walk to the Attorney-General's office and deliver that judgement there. The Attorney-General's Office will then coordinate with the Ministry of Labour and Social Protection under the National Council for Children Service and our Ministry of Foreign Affairs to have the judgement taken to a foreign mission in a foreign country where the parent avoiding parental responsibility is hiding. Our foreign mission will then coordinate with the authorities of the foreign countries – which is part of the convention – to trace the runaway parent and the order shall be enforced if it was issued in a Kenyan court. This is, indeed, a historical day in our country. It is a legacy. I pray that the Departmental Committee on Social Protection of the 13th Parliament will be remembered in the years to come.

This is certainly a great achievement for the children of this country. I am proud to have been part of this journey as the Chairperson of the Departmental Committee on Social Protection. Recently, like I said, we have seen very many men and women suffering because one parent decided to run away from their responsibility. These Conventions are going to stop that.

Finally, allow me to thank the Members of the Departmental Committee on Social Protection for their diligence in concluding the consideration of these three Hague Conventions which are very technical in nature. The last Parliament did not consider the conventions despite having been submitted by the Executive. I am particularly happy that the Members of this Committee prioritised the consideration of the conventions despite having a lot on their trays as pending business. Allow me to also thank the Secretary of the Committee for facilitating the conclusion of these three conventions. It is good to note and let the House know that, once the House adopts this Report, we will walk to the Ministry of Foreign Affairs and deposit our Report with them. After that, the Ministry of Foreign Affairs and some Committee Members will fly all the way to the Hague to make sure that Kenya is one of the countries that are protecting their children.

With those few remarks, it is with pleasure and my duty – it is a proud moment for the children of Kenya, and men and women of this great country – that I beg to move this Motion and urge the House to adopt it. I request Hon. Hillary, the Vice-Chair of the Committee, to second the Motion.

Thank you.

(Applause)

Hon. Deputy Speaker: Hon. Member, you may proceed.

Hon. Hilary Kosgei (Kipkelion West, UDA): Thank you, Hon. Deputy Speaker. Let me begin by saying that it has been seven years of a tedious process of trying to seek the House to adopt the ratification of the Hague Conventions which began in the 11th Parliament on 22nd December, 2016, when the Cabinet approved a memo on the ratification, acceptance and assent of the three conventions. The conventions and their memoranda were tabled in the National Assembly on 4th April, 2017 and forwarded to the relevant departmental committees for review and action. The 11th Parliament received the submissions for consideration pursuant

to Section 8 of the Treaty Making and Ratification Act, 2012 and Standing Order 170A of this House. Upon its committal, the 11th Parliament's term lapsed and the 12th Parliament came in and went out without finishing this job. When the 13th Parliament came in, this Committee on 17th January 2022 was seized of this matter and upon its committal to the Departmental Committee on Social Protection, the Committee moved very fast to receive submissions from relevant stakeholders and did its report quickly. It completed the Report on 25th April.

The three conventions will be a great addition to the laws and policies of our country and, as the Chair has stated, first, the Hague Convention on Civil Aspects of International Child Abduction shall protect children from harmful effects of wrongful removal or retention, ensure prompt return to their country of habitual residence and secure the protection of their rights.

Second, on the rising cases of child abduction, the Hague Convention on jurisdiction, applicable law, recognition, enforcement and co-operation in respect of parental responsibility and measures for the protection of children, shall ensure recognition and enforcement of decisions made by Kenyan courts relating to parental responsibility within the contracting states.

I, therefore, urge this House not to delay further the ratification of these conventions. The conventions are retroactive. Therefore, they can be applied to prosecute matters that happened in the past and their cases are still pending, including the cases Madam Chair alluded to of the “superhighway” parents.

The signing and ratification of these conventions by Kenya will demonstrate Kenya's commitment to the collective action to improved regulation of the subject matter of the conventions. That will bring positive consequences both to the country and to other contracting States. While I wish to pass my sincere gratitude to the Members of the Committee and the Secretariat that took part in the process of considering these conventions, the work that went into making this process successful was immense. The teamwork and dedication was commendable. It is my wish that the Committee continues with the same spirit and momentum.

It is now my humble pleasure to second and support the recommendation of the Committee as contained in its Report: that, this House approves the ratification of:

1. Hague Conventions of the Civil Aspects of International Child Abduction;
2. Hague Conventions on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children; and,
3. Hague Conventions on International Recovery of Child Support and Other Forms of Family Maintenance.

I second.

(Question proposed)

Hon. Deputy Speaker: I now call upon the Member for Tharaka-Nithi, Hon. Susan Nduyo.

Hon. Susan Ngugi (Tharaka-Nithi County, TSP): Thank you, Hon. Deputy Speaker, for giving me this opportunity to contribute. First of all, I thank the Departmental Committee on Social Protection for finding time to meet with various State departments and ministries, especially the Ministry of Labour and Social Protection, the Office of the Attorney-General and the Ministry of Foreign and Diaspora Affairs.

The ratification of the three Hague Conventions has come at the right time. I was a Children's Officer for quite some time. I understand the harmful conditions that children and parents in Kenya go through, especially on the issue of abduction. It happens in Kenya, especially in children's homes. Foreigners come to this country, abduct our children and run away with them. I have a case in Imenti South where a parent came to learn that her child who

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had disappeared from home had already been adopted by a foreigner. Getting the child back has been very difficult.

With the Convention on Civil Aspects of International Child Abduction, we, Kenyans, are very much assured that when our children are adopted or retained wrongfully, we will get them back through the central authorities from countries that have ratified these conventions. Look at a case where a foreigner comes to this country. He has an affair with a Kenyan woman, impregnates her and abandons her with the children. There are foreigners who come to this country and move around with our women while promising to marry them. When they part ways, they run away with their children. Our Kenyan women or mothers have no access to those children. With these three conventions, the Kenyan parents who have been denied access to their children, whom foreigners ran away with, will access them and also attain parental responsibility.

We have people who misuse our girls. They abuse them sexually. They move around with them, impregnate them and then they run away. Hence, they escape their parental responsibilities. We are now assured that with these conventions, our children will access parental responsibilities because we have central authorities where you can claim and complain and be sure that our children will be taken care of.

There is also the issue of custody. We know that a child who is less than eight years or 10 years belongs to the mother. With this case and Kenyan Children's Act, 2022, we have people who do not care. They still run away with their children to avoid parental responsibilities and deny their mothers the initial custody. With these three conventions, Kenya is going places. I request and urge this honourable House to adopt these three conventions, so that Kenyan children can be taken care of.

Thank you, Hon. Deputy Speaker. I thank the House too.

Hon. Deputy Speaker: Thank you very much. I now call upon the Member for Migori County, Hon. Fatuma Mohammed, who is also known as "Full Network".

(Laughter)

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Deputy Speaker, for giving me this opportunity to contribute. I am also known as "Full Network".

I stand with authority as a mother and daughter. That means I am also a child. I support these conventions. This has become a norm for our young girls. To be specific, the white men walk into this country, they leave their families behind in their countries of origin, they cheat our little girls, impregnate them and then leave them knowing very well there is nowhere they will get help from.

I have a case that I am very sympathetic to. A Dutch citizen came here, impregnated a 26-year-old girl and frustrated her. She went into depression in Malindi. She got cancer and was moved back to Nairobi to live with her family. She died frustrated. All the man was doing was to push the girl to death. He called the girl all the time to tell her she would die, she was a moving dead body and all sorts of things. This girl went to the Children's Court before her death. She requested the court to allow her poor mother to take care of her little boy, in case she died. The boy is now with his grandmother since the girl is dead. However, the man does not give them peace. He threatens to go to big courts to get them arrested and put in jail forever because he has money. Honestly, we need protection for our children. The child does not even go to school because the father does not provide his needs. The father told them that there was nothing they could do because they did not know where to get him and he was married back at home. From such a scenario, we need protection for our girls and children. I support this Motion on Ratification of Three Hague Conventions Relating to Matters of Children.

We also have people who take advantage of our young girls back at home, especially the rich and powerful men. Once the girl gets pregnant, she is threatened to either have an abortion or give birth and allow him to take the child. If that happens and the girl gives in to pressure, she gives birth and then gives the child to the rich father. The poor little girl will never see that child again. In most cases where they move to court, they do not even get justice because the courts sometimes - but not all the times - call it hot air and the poor little girl will have nowhere else to run to. I beg that we protect our children. They did not request to be brought to this world. They do not know the circumstances under which they came to this world. They should not be put under circumstances they do not understand. A child has a right more than a grown up in the eyes of the Lord and the justice system of this country. We need to protect our children.

May God reign down and take these conventions to action, so that our children are taken care of. The mothers also need protection. People divorce sometimes and the court rules that the mother and child should be taken care of. However, the rich person goes back to the same court and he is declared bankrupt. Therefore, he cannot take care of Fatuma and her child anymore. The mother then finds herself in the same circumstance as the child.

I beg to support the Motion. Thank you.

Hon. Deputy Speaker: Member for Rangwe, Hon. Lilian Gogo.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you, Hon. Deputy Speaker. I need another microphone. I appreciate you for the good work that you are doing. You are a very good representation of the womenfolk. I am a member of the Departmental Committee on Social Protection. I thank my Chairperson and the Vice-Chairperson for articulating well the issues on the three conventions that we have brought to the Floor of the House for debate, so that the House can approve their ratification.

From where I stand, a lot of discussions were held about this Motion to see the pros and cons of the ratification of these conventions. It is important, in the interest of our country, for us to join the community of nations to ratify conventions that are beneficial to our great nation Kenya.

These conventions are also in line with the supreme law of the land, that is, the Constitution of Kenya, 2010. Article 53 of the Constitution provides for the protection of children born of Kenyan and non-Kenyan nationals. It is important that our children are not subjected to abuse, neglect, harmful cultural practices, all forms of violence, inhumane treatment and punishment, and hazardous and exploitative labour.

These conventions provide for support recovery such that where two nationals are involved in bearing a child and one abandons their responsibility, this particular law can be invoked, so that that child gets support from the parent who has abandoned the child.

Parental responsibility is also provided for in the Children Act, 2022, that provides for equal responsibility in parenting. Responsibility in this case is in terms of access to and support for the child, and any other issue that relates to the child.

More often than not, we find other nationals leaving their children in Kenya, especially if they come to Kenya to work or for conferences. At the end of the day, we find their children scattered all over Kenya. This happens especially with our young Kenyan girls, who are lured into having sex with those outsiders or visitors, who then leave their children behind. Some of the girls who are lured into those kinds of acts are underage. In case this happens, these conventions can be invoked together with our local laws.

Hon. Deputy Speaker, other than the highway children, we also have the British Army Training Unit Kenya (BATUK) children that are being left in Nanyuki, where that training unit is located. This is a matter that was followed up by the 12th Parliament, and I was a party to it. If the House approves the ratification of these conventions, it will be a move in the right direction. I support this move by the Committee. I know it will benefit our children.

Thank you, Hon. Deputy Speaker, for giving me the opportunity.

Hon. Deputy Speaker: Member for Trans Nzoia County, Hon. Lillian Siyoi.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Deputy Speaker, for giving me this chance to support the adoption of this Report. I stand here as the Women Representative of Trans Nzoia County to articulate issues to do with women. This Motion touches on us directly.

Our women and girls have really suffered under the hands of foreigners, and even men here in Kenya. I support this Motion because despite measures having been put in place to support our girls in case their marriages break, our girls are still struggling. This is because most of those relationships last for a short period, then the girls are left to continue struggling alone or go to courts to complain that their children are not being supported.

I also have a case of one girl who has really suffered because she has two children with a white man from Italy. Currently, the girl is struggling alone. The children are in primary school and it is difficult for some of us to support them because we are not supposed to give bursaries to primary school students. We only give to secondary school students.

I support this Motion because our children are really suffering in the hands of foreigners.

Thank you very much, Hon. Temporary Speaker.

Hon. Deputy Speaker: Member for Busia County, Hon. Catherine Omanyo.

Hon. Catherine Omanyo (Busia County, ODM): Thank you, Hon. Deputy Speaker. I support this Motion.

First of all, children belong to the Government. Sometimes, where a mother or a responsible adult is not involved, we should up our game as a Government to make sure that the rights of all children in Kenya are protected, right from birth. Those incidents happen year in, year out, such that we are still here talking about this. It is our collective responsibility, whether we have limited education or not that, once a child comes into a family or a community, we should all be on guard about how they are raised, and the environment in which they are raised. Because of poverty, some people neglect their children, thus putting them in danger. Children's departments in all towns should go out of their comfort zones to attend to such cases.

I have been called to my county's children's office many times to go and take some of those children, as the children's officers seek to get to the bottom of why they have been neglected or have been reported missing. We are asked to help and yet, I do not think that there are facilities to shelter those children in every county. There are many things that make this a little complicated and yet, it is not supposed to be.

I support this Motion. Considering where Kenya is today since Independence, we should be implementing more and theoretically narrating less.

Thank you.

Hon. Deputy Speaker: Thank you. It looks like this Motion is women centred. I can see the Member for Sirisia, Hon. John Waluke.

Hon. John Koyi (Sirisia, JP): Thank you very much, Hon. Deputy Speaker, for giving me a chance to contribute to this very important Report and its adoption.

It is important for us as a House to adopt this Report. This is because many people have been taking our children, even going with them abroad without the parents' permission. Many children have been reported lost or missing. People steal children from hospitals, homes and towns. So, we need to put in place very strict laws that can protect our children.

While speaking on this Motion, my colleagues, the women Members, are talking mostly about protecting the girl-child. A child should be protected whether he is a boy or a girl. Article 53 of the Constitution protects all the children and citizens of this country. The laws that are

there are weak. I want to thank the Member who brought this Motion. The House should adopt this Report so that we protect the children of this country.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Member for Funyula Constituency, Hon. (Dr.) Wilberforce Oundo

Hon. (Dr.) Ojiambo Oundo (Funyula, UDA): Thank you, Hon. Deputy Speaker. We were worried that the debate was being hijacked by our female colleagues and yet, the process leading to the birth of a child is a two-way traffic; it is very unlikely to happen one-way traffic, at least, not in the conventional or traditional way.

Hon. Deputy Speaker, the Hague Convention on Civil Aspects of International Child Abduction; the Hague Convention on Jurisdiction, Applicable law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children; and the Hague Convention on International Recovery of Child Support and other Forms of Family Maintenance are being presented here pursuant to the relevant Article of the Constitution that requires any convention or treaty to be ratified in this country for it to be part and parcel of the laws of Kenya.

Standing Order No.216, likewise, compels the National Assembly to process any treaty that is presented before it. We have raised these concerns in the past that the Treaty Making Act is designed in such a way that it never gives the people of Kenya specifically, any chance to review and enrich the various treaties and conventions. It is given as it is, take it as it is and the most drastic aspect is that you either approve or reject it. But since it contains some positives concerning the people of Kenya, we have tended to approve it in its entirety even though there could be points of objections.

Probably, this lends credence to the statement by the Registrar of Treaties in the Ministry of Foreign Affairs and Diaspora Affairs, Ambassador James Waweru, who observes in paragraph 78 of the Report that there is need to sensitize the Judiciary and key Government Ministries and departments on the obligations under these conventions. We are ratifying a treaty where probably the people and the organs that are mandated to implement the same have not been sensitized adequately and, therefore, are going to spend many years groping in the dark. As we have always said, at any given time, the welfare and the best interest of the child should precede any technicalities. That is why when I stand here today, I support the adoption of the various treaties.

Hon. Deputy Speaker, let us be very clear from the word go. Child welfare and protection is a shared responsibility and the Constitution clearly says a child belongs to both mother and father regardless of the economic, political, social or whatever status of either of the parent. That is why you find our courts have been very progressive in the interpretation of the issue of child welfare, child custody and child maintenance between various parties.

I want to echo the sentiments of Hon. Alice Ng'ang'a, Member of Parliament for Thika Town and Thika Road, which is the best-case example where girls would wake up in the morning having children and are unable to distinguish between the same looking Chinese to know who the father is. They will walk there in the morning all with squinted eyes and the girls could not tell who the child's father is. I would want to imagine that there must be a process, either scientific or non-scientific, which can allow our girls to identify those *wazungu*. The *wazungu*, Chinese and the rest, at times, tend to look the same. When you look at the Koreans and the Japanese, it is difficult to tell the difference between the two.

Hon. Deputy Speaker, please add me a second or a minute so that I can drive home a certain point.

The Deputy Speaker: That is okay.

Hon. (Dr.) Ojiambo Oundo (Funyula, ODM): Hon. Deputy Speaker, therefore, we must revert. That is why we are saying that these conventions are not domesticated because

once those guys run away, they will engage you in a ping pong game. They will tell you to go for DNA, then they pick a look-alike and DNA results will be negative. The girl is left in tears without knowing who the real father of the child is. Therefore, as we domesticate this, we need to look at our various Acts and I am happy Hon. Millie Odhiambo, who is a guru in this area, is here. We must look at ways of identifying and noting those foreigners.

We seem to insinuate that it is only the women and girls who are affected. There are very many cases where women are abandoning children in the village to go to work in Dubai and Arab countries and fail to support the children. This notion that it is only women who are affected is misguided and that is why some of the agenda being pursued by women activists and women groups get lost because they seem to only look at it from one angle. I would urge them again, as you sensitise and talk, to look at those women who abandon children in the villages, to go and make money wherever they go and refuse to support.

With those few remarks, Hon. Deputy Speaker, I support the Motion. Thank you.

The Deputy Speaker: Hon. Member for Suba North, Hon. Millie Odhiambo.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Deputy Speaker, for giving me this opportunity to support the three conventions that have been presented by the Committee on Social Protection. The Convention of 23rd November, 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance; Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children, concluded on the 19th of October 1996; and the Convention on Civil Aspects of International Child Abduction, concluded on 25th of October 1980.

Hon. Deputy Speaker, let me thank Hon. Oundo for recognising my work in the children sector. As a matter of fact, most of my professional work has been around the rights of children and women but, primarily, on the rights of children. I just want to indicate that by virtue of Article 2(5) and 2(6) of the Constitution that says that any treaty that is ratified by Kenya becomes part of the laws of Kenya. I would want to call on the leadership to consider bringing treaties one by one.

(The Deputy Speaker consulted with a Member)

Hon. Deputy Speaker, I know you are consulting with my sister, but I plead for your attention because I am seeking and begging for one thing that you can take forward as House leadership. By virtue of Articles 2(5) and 2(6), once these conventions pass this Floor, they become part of the laws of Kenya and we can make direct reference to them as laws of Kenya and yet, we are dealing with them as one law. We are dealing with three conventions on different aspects of child protection, but we are bringing all of them at once. If I were to compare them to other laws, it is almost like an omnibus, but on substantive issues. I request that, in future, committees present one treaty at a time. The reason includes the issues that Hon. Oundo has raised. The conventions are on very diverse issues. If I wanted to raise issues in relation to each and every treaty, I may not have time. Once we pass a treaty, it becomes part of the laws of Kenya. Contrary to what my good friend Hon. Oundo has said, under the Treaty Making and Ratification Act, when a committee considers a treaty, it can indicate its reservation on an article it does not agree with. For example, there is an article in one of the treaties that goes against the provisions of the Constitution of Kenya. If we pass it, we will have given it a stature over a constitutional provision. It creates a problematic issue.

Kenya is ahead in terms of domestic laws. We have the Children Act, among several other laws, that deals with these issues comprehensively. In the last Parliament, we passed a very comprehensive law dealing with child protection, custody and civil aspects. Kenya has ratified treaties on criminal aspects. I can see my time is running out.

Hon. Deputy Speaker: You can have some extra two minutes.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you. I really appreciate, Hon. Deputy Speaker.

My concern is in reference to children born out of wedlock. The conventions do not seem to address this. In fact, one of them has a provision in the negative. Article 4 of the convention that deals with jurisdiction says the convention does not apply to the establishment or contesting of a parent-child relationship. The convention says that you cannot question parenthood under that article and yet, Article 53 of the Constitution says you can. You can even do a DNA test to establish whether a man is the father of a child. The mother is usually obvious. In that case, the convention goes against our own Constitution.

The same convention recognises children at birth. Yet our Constitution recognises children at conception. This also goes against our Constitution. Hon. Deputy Speaker, you notice I am focusing only on one convention. That is why I am requesting that, in future, so that we see the areas that are likely to conflict with our own laws, it will be good that we present one convention at a time. It is possible. We can consider one convention and immediately consider the second and the third one. We are actually making law. The challenge we are faced with is that we sometimes think that ratification of treaties is like passing a report. No, this is legislation. It is not a Motion. It is not just a report. It is a report because it comes from a Committee, but after this, we will have passed a law. Once the Executive goes ahead and ratifies, it becomes binding on Kenya.

The only saving face for me is that we have also ratified the convention on the rights of the child, so where there are tensions, we might fall back to that convention. If you have very sharp lawyers, these are some of the things that will find their way to a constitutional court. I want to encourage Committees that, in future, if you do not agree with an article, make a reservation very boldly in relation to that article. I support.

Hon. Deputy Speaker, thank you once again for extending my time. I appreciate.

Hon. Deputy Speaker: Hon. Millie, I know the many years we spent in the child rights world. That is why I gave you a little extra time. I ask the Clerk's desk to take note of the need to separate the conventions and bring that to the attention of the relevant committee. Hon. Alice Ng'ang'a, the matter will come back to your Committee to ensure that they are processed separately. That is a good suggestion.

Hon. Alice Ng'ang'a (Thika Town, UDA): Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I call upon the Member for Kitui South, Hon. Rachael Nyamai.

Hon. (Dr.) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Deputy Speaker, for giving me an opportunity to add my voice to this very important Motion that is dealing with ratification of the three treaties as presented by the Departmental Committee on Social Protection. First, I congratulate the Committee, the Chair, Hon. Alice Ng'ang'a, and the Vice-Chair, Hon. Hillary, for concluding the consideration of these conventions in the shortest time possible, bearing in mind that this is a matter that has been with Parliament for almost seven years.

I listened very keenly to the Chair when she was making her presentation and also had a chance to look at the Report. These treaties will enhance the rights of children to access their parents. This is a matter that is happening in our country, where children fail to access their parents because of one situation or another. There are also cases of parents who are not able to access their children. It is not only women. There are also men who may not be able to access children who are with their female partners. Children also have a right to be taken care of, have education, shelter, food and love. I support this Report.

I would like to go straight to a matter that was raised by the Chair. This is on the issue of children born as a result of the construction of Thika Road, Kibwezi-Kitui Road and Kenol-Sagana Road. This matter needs to be taken seriously. Most of the women who have found

themselves in this situation have children whose fathers they are not able to name. I am personally affected because of the construction of the Kibwezi-Kitui Road. I must tell women to make sure that they can identify the person they are relating with. When times are good, get hold of his passport and make photocopies. Keep copies with your mother, sisters and brothers in different places, so that when things go wrong, you will have a possibility of, at least, identifying the name of that person. There are girls in Nairobi, Mombasa, Kisumu and Laikipia, where the British Army trains, who are stranded with children whom they cannot name. Women should not just live with white people and call them *mzungu*. Some of them are not *wazungu*. Some are Chinese, Pakistanis or Koreans, but people refer to all of them as *wazungu*. They must identify them.

The Chair also said that her Committee will go to Government offices and the Hague to present this Report. I encourage them to support women, especially those who are not educated, to get hold of court judgements. They may not be able to do this because it is not their day-to-day work, but there are Government agencies that can pick up those cases and support our people.

I appreciate that I got a chance to add my voice to this very important Motion. I would like to congratulate the Committee and ask other committees to take matters before them seriously and deal with them as fast as possible as the Chairperson of the Departmental Committee on Social Protection, Hon. Alice Ng'ang'a and Hon. Hilary, have done.

Thank you.

Hon. Deputy Speaker: Thank you, Hon. Members. I note that there are few Members to my right; you will have an opportunity to speak because we have sufficient time. Allow me to dispense with those who will take over the seat here.

Hon. Peter Kaluma, the Member for Homa Bay Town.

Hon. Peter Kaluma (Homa Bay Town, ODM): Thank you, Hon. Deputy Speaker. I am still looking at the content of the Report. I had not looked at it fully.

I would like to begin with warnings. These are being referred to as the Hague Conventions. It bothers me that somehow, we want to ratify these conventions and treaties and we keep signing them as if we are obligated to do so. Sometimes, it seems like we do not consider why these treaties should be ratified or not.

By rushing to sign these treaties in the manner I see us doing... I am saying this because I want to make recommendations on how we can deal with treaties in future. This is why States like the United States (US), Israel, China and Russia did not sign the International Criminal Court (ICC) Treaty and yet, they come shouting to us that when we engage in such acts, we have to be taken to the Hague. Based on our history, we had the fourth President of the country tried at the Hague. The current President has a pending case at the Hague. We are never bothered that the States that shout the loudest about these rights are not signatories to these treaties. The other question I would ask if I was in charge of this convention is this: Have these economic superpowers, also known as the G20, signed?

Hon. Deputy Speaker: Hon. Kaluma, stick to the topic. I know where you are going. We are just talking about children rights conventions.

Hon. Peter Kaluma (Homa Bay Town, ODM): I am fine with them.

Hon. Deputy Speaker: These conventions have three separate names. That is, the Civil Aspects of International Child Abduction; the Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children; and the International Recovery of Child Support and Other Forms of Family Maintenance.

Surely, Hon. Kaluma I taught you child law and so, you should know. Now you want to deviate from the topic.

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Deputy Speaker, there are very many conventions which were ratified and agreed upon by the humanity of nations. You will remember that I got straight As in your Children and the Law Class. In fact, I was sweeping marks because I understood them properly.

The point I am making is no matter their titles, these treaties are originating from the Hague. Before I go to the content, the alacrity with how we rush to sign things that other States that are advocating for them but never sign is questionable. The question to the Committee is: Before you brought these conventions for consideration - this is part of ratification as Hon. Millie said - which other States have you confirmed have signed them?

Two, it is always good to cite children rights. On the face of it, you know how the realm of international treaties and conventions is operating now. When they tell you children rights, they will refer to all the children. But do we bother to question who are “all children?” When they say, “all women in all their diversity,” do you know what they are talking about? Your guess is as good as mine.

My hope is that the Committee did not just end at presenting the summary of this Report. I hope that they weeded it through with the knowledge of where the world is going in terms of these provisions. One, are they in accord with our Constitution and our Acts, particularly the Children Act? We will also be amending the Children Act in a short while. Because I am not specific to those parts, I will thank the Committee for bringing this Report but I will hesitate to...

(Hon. Peter Kaluma's microphone went off)

Hon. Deputy Speaker: You can finish your sentence in exactly 10 seconds.

Hon. Peter Kaluma (Homa Bay Town, ODM): Thank you, Hon. Deputy Speaker, for your *gratis* award. Beyond the passage of this Motion - if it will pass - we need to dig and ensure that these treaties are in accord with our existing laws. In terms of ranking, we need to amend the Judicature Act and the Constitution to include that howsoever ratified, these treaties will rank below our Statutes and the Constitution.

Hon. Alice Ng'ang'a (Thika Town, UDA): On a point of order.

Hon. Deputy Speaker: What is your point of order Chairperson?

Hon. Alice Ng'ang'a (Thika Town, UDA): Hon. Deputy Speaker, before we brought this Report to the House, we did not just sit as a Committee. We engaged many lawyers as well as the Attorney-General and the Registrar. This did not take one day. By the time Hon. Kaluma is seeing us bringing this Motion to the Floor of the House, it means that we have done what we ought to have done thoroughly. We cannot just rush things. This is a house of laws and laws are made here. If you see us bringing such a Motion, it means we have done our due diligence. We want Members to contribute to this so that we can see where we are headed to, even if it means adding to the Report.

Thank you.

Hon. Deputy Speaker: Thank you. This matter was raised before and I already directed that the Committee separates these treaties. Since the debate is going beyond today, they have agreed to separate them. I know that thorough work has been done because I know the nature of the committees.

Hon. Alice Ng'ang'a (Thika Town, UDA): I also want to say that when we were looking at these three treaties, we looked at them separately. It is only that we presented one Report. We never bundled them together. They were separate and still are.

Thank you.

Hon. Peter Kaluma (Homa Bay Town, ODM): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, Hon. Kaluma?

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Deputy Speaker, I am the last person to diminish the good work of my colleagues in all committees. The point I am making is that the Committee ought to tell us what is lacking in Article 53 of the Constitution and the Children Act that we are going to get only by signing this treaty? This is the distinction I am seeking even as we are contributing to this. If we do not approach it this way, then we risk signing things that we do not know. Languages have become nuanced. We might end up signing treaties that do not add anything to us, while exposing our children as a country. Otherwise, I salute the work of all our committees of Parliament.

Hon. Deputy Speaker: Thank you, Hon. Kaluma. As I said, this debate will go on beyond today. Members of the Committee will have an opportunity to respond to what Hon. Kaluma has raised.

Let us now have the Member for Kiambaa, Hon. Kawanjiku.

Hon. Njuguna Kawanjiku (Kiambaa, UDA): Thank you, Hon. Deputy Speaker. I take this opportunity to congratulate the Chairperson and Vice-Chairperson of the Departmental Committee on Social Protection for bringing this Report. We are cognisant of the fact that we are in trouble, especially when we have international players in the world take advantage of our young girls and the poor status of our economy. Those young girls have to depend on those international players for their survival.

I support the Motion because, in most cases, we realise that the most affected are women and children. If a father sires a child and leaves the child behind and repatriates back to his country, the child suffers. Some become street boys or girls within the country because there is nobody to take care of them.

Through this Convention, we see incidences where majority of the people affected are women. The Convention states that it is not only for the men to take care of the women and children they leave behind, but it also brings women on board, even when they run away and leave their children under the care of men and hide in diaspora with zero parental responsibility. The Convention will take care of those women by making sure that they are held to account to take care and be responsible for the children, and make sure that they give parental guidance as far as motherly love for their children is concerned. It will also make sure that they participate in the bringing up of those children. We have seen many Hague Treaties, but we hope that this one will not be one of those many Hague Treaties with no one enforcing them.

[The Deputy Speaker (Hon. Gladys Boss) left the Chair]

[The Temporary Speaker (Hon. (Dr.) Rachael Nyamai) took the Chair]

Hon. Temporary Speaker, in this Convention, we have seen a situation where if there is any order from the court within the jurisdiction of our country relating to any child care or support, the person who is in charge or held to account will take this order to the Ministry of Labour, Social Security and Services, who will then present it to the Attorney-General. The Attorney-General will present it to the Ministry of Foreign and Diaspora Affairs and the Ministry will take the orders to the mother country and make sure that the orders are enforced and the person responsible for leaving their child behind is held responsible to make sure that he/she commits to take care of the children.

We, therefore, support this Treaty. We commend the Departmental Committee on Social Protection for making sure that there will be a way to follow-up on those people and even women who leave their children behind and go to live in the diaspora looking for greener pastures and are not able to take care of their children. This Convention will take care of such

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people to make sure they are brought to book and take responsibility for their children, whether it is men, women or any person who is involved. We will be able to go beyond our borders and make those people culpable for their action to this country and compel them to take care of their children and own up to their responsibility.

In our society today, we have many single mothers who are taking care of their children, while their fathers are around. It is prudent for every responsible man to take care of their children as it is required by law and the Constitution. This will reduce the number of single mothers within our society. Every child was not born by the mother alone. There is a father who is responsible.

I support the Convention and we urge the Government officers to take that responsibility and make sure that they enforce this Convention. Thank you.

The Temporary Speaker (Hon. (Dr.) Rachael Nyamai): Thank you very much Hon. Member for Kiambaa. Hon. Caroline Ng'elechei, Member for Elgeyo Marakwet County.

Hon. Caroline Ng'elechei (Elgeyo Marakwet County, Independent): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I appreciate because I have really waited for the chance.

First of all, I appreciate Hon. Alice Ng'ang'a and her Committee for bringing this very important issue. It is the right of every child to be taken care of. In layman's language, we say that children do not apply or request to be born. It should, therefore, be the responsibility of the two parents. Many times, you find that the people, especially non-Kenyans, who come here and sire kids with our children and have means, but the mothers or fathers who are left with those children are people who are barely surviving. They do not have a stable job or anything to support those children.

It is, therefore, very important to note that whenever somebody has given birth, he/she should know that the child is his/her responsibility for life. You will find that many of the children who have found themselves in those crossroads are left with one child, especially the ones that emanated from the construction of roads here in Kenya. Such children might never be upright because they will keep asking themselves many questions and seeking to find out who their parents are. They are not only the ones who are getting tortured. At times, those parents, because they are not able, leave the children to others. Some leave them with their grandmothers, aunties and the community.

Many of these Members of Parliament will tell you that many times, when they do fundraisings, they raise children whose one parent has absconded their duty and left it to the other parent who might not be able to take care. This Motion is very important and must be supported.

As we discuss foreigners or people having kids with locals and leaving them, it is also very important to think about those who are doing it locally and leaving them. As much as we have the law, we have never fully enforced it. It is not easy for the parents who are left to take care of the children, while others are having a field day out there. The law does not support them fully. It is not free; it comes at a cost here in Kenya. Many people, instead of fighting for child support or looking for the people who have the responsibility of their children, they just leave it and struggle on their own.

Many problems in Kenya are brought about by people who are leaving their responsibilities. That is why when we have issues like the active issue in Kilifi about Pastor Mackenzie, most of the victims are children. Some of the children are mentally tortured and some are miserable and looking for shelter. Even as we adopt the Treaty, it is also good to ask ourselves if we are giving away our right as Kenyans and our jurisdiction. As a Kenyan, I should be tried at home. It does not only apply to the people who are running away, but also to Kenyans who are running away from other countries. It will also be good to know if Kenyans

have children outside, and whether they will be tried or taken care of here at home or they will also have to be taken to Hague or other jurisdictions.

As we adopt this Report, the Committee should also come out clearly and tell us if we will be giving away the rights of our jurisdiction when we adopt such treaties. I support the Motion. This is very good for us and the children of Kenya. Thank you.

The Temporary Speaker (Hon. (Dr.) Rachael Nyamai): Thank you very much. Hon. Dorice Donya, Member for Kisii County.

Hon. Dorice Donya (Kisii County, WDM): Thank you very much, Hon. Temporary Speaker. As women, we are humbled when we are discussing issues that are dear to our hearts.

Children rights and their protection begin at birth. There are countries that have strict laws that you cannot even go into a lodging with their girls. They are very protective. When we were in South Sudan for the East African Parliamentary games, we were told that in South Sudan, you cannot just speak with their ladies the way you want. Otherwise, you will have it rough.

When we had a discussion in our Committee about Saudi Arabia, we were told that if a Kenyan has a child, the child is not protected in that country unless you are legally married. We should also check on the marriage laws. Again, how do we treat children who are abandoned by fathers that do not want them to bear their names? It is even worse when a disabled child is involved because the man might chase his wife away. They believe that if the first-born child was disabled, then the second child will definitely be born with a disability. Those children end up without any emotional support.

I wish we had a direct line like the '911' that one calls to report those matters. That direct line communication should be very active and responded to quickly so that the culprits can be cautioned that the lives of those children matter. When we are not serious with a particular law, even if we speak about it every day, nothing will be done. For instance, during the COVID-19 times, people knew that we were strict and they all wore masks. Everybody, including three-year old children, were wearing masks with the hope that they will prevent COVID-19. In the same spirit, if you have a child, it is your sole responsibility to provide them with food and pay for their medical services. And, if you are sending your wife away with the children, you must provide them with a house to live in. These things should be taken care of with a lot of caution, concentration and interest. The laws that we are talking about must be properly implemented. The Committee's Report is very noble. We are now celebrating and hoping that this law is going to be enforced. If serious measures will not be taken, then we will be taking ourselves back.

So, I support the Report of the Committee. I am happy that Members have come on board to ensure that every child celebrates their life and enjoy recreational activities. There are even children who are not allowed to play with others. The rights of our children are very vital.

Thank you very much.

The Temporary Speaker (Hon. (Dr.) Rachael Nyamai): Thank you, Member for Kisii County. Hon. Rindikiri Mugambi, Member for Buuri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. I rise to support the ratification of these conventions, but I have some reservations bearing in mind that they are three-in-one. Some information is pertinent because we can ratify a convention, but be unable to implement the same. This Parliament has a responsibility of protecting our citizens. We also have a responsibility of protecting our visitors from other countries but, we must be very careful about the dealings of foreigners who come to this country. One of the things that I have tried to check is how to ensure that we know the parents of a kid born between a Kenyan and a foreigner.

Hon. Temporary Speaker, in my view, we must have early registration process where each kid is registered, and the mother and the father give specific information on how we can trace them. We have to know the occupation of those people and their immigration status such that when they leave the country, they can be easily traced. The ratifications need to provide for the traceability of the parent.

There are two types of abductions. There is the slavery of children, but we have also seen situations where when parents separate, some of them abduct the children and live with them without informing the other party. How do we treat children when this kind of a situation happens? How do we treat the abductor?

The other matter is on jurisdiction. There are very many countries which are not part of the Hague Conventions. When we deal with ratifications like these, we also need to bring this to the attention of Parliament. How do we deal with other countries that are not involved in the Hague Conventions? I know some countries that are not part of the process, but I think that is a discussion for another day. That is because it is not part of this. It is very important that we look at that aspect.

Hon. Temporary Speaker, I have suffered a lot because I am educating very many children, including the so-called street construction site children. In a community where we are all black, it is very shocking to see some short funny looking characters. You do not know their fathers and those children are just left with their grandfathers and grandmothers. In my view, once a child is born, if the father is around, we must confiscate his documents such that they make a commitment before they leave the country.

Hon. Temporary Speaker, I am also a victim of BATUK. Right now, we have about five cases of cohabitation of girls from our place and those gentlemen have now been transferred. They are back through their proxies to repatriate their properties. This is a very nice legislation, but we need to be very careful on how we are going to implement it. I support it with some amendments, if necessary.

Thank you.

The Temporary Speaker (Hon. (Dr.) Rachael Nyamai): Thank you very much.

Hon. Joshua Mwalyo, Member for Masinga.

Hon. Joshua Mwalyo (Masinga, Independent): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to speak on the Report on the Ratification of the Hague Convention on the Civil Aspects of International Child Abduction. My interest is for the ratification to be enforced to recover child support and other forms of family maintenance which was signed in November 2007 and came into force in 2013. This is the only law that can be enforced for children to get their rights. Many absentee parents have children, but have left them in other countries especially in the...

Hon. Julius Rutto (Kesses, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr.) Rachael Nyamai): Member for Masinga, I have a point of order from the Member for Kesses, Hon. Julius Rutto. What is out of order?

QUORUM

Hon. Julius Rutto (Kesses, UDA): Thank you very much, Hon. Temporary Speaker. I rise under Standing Order 35 on the issue of quorum in the House. We are discussing a very crucial matter that will implicate our country, Kenya on international treaties that are to be signed. I am rising to point out that the House is not properly quorated to debate this matter. Can we kindly ensure that we have quorum before we proceed to discuss this?

Thank you.

The Temporary Speaker (Hon. (Dr.) Rachael Nyamai): The Member for Kesses is quite in order. I order that the Quorum Bell be rung for...

Hon. Joshua Mwalyo (Masinga, Independent): Can I finish?

The Temporary Speaker (Hon. (Dr.) Rachael Nyamai): No, Hon. Mwalyo. When the matter of quorum is raised, we can only proceed to have the Bell rung for 10 minutes. And while that is happening, you cannot go out. Hon. Mwalyo, please, take your seat because you never know. We may get quorum.

(The Quorum bell was rung)

The Temporary Speaker (Hon. (Dr.) Rachael Nyamai): Hon. Members, the Member for Kesses rose on a point of order under Standing Order 35 on the matter of quorum, and it is clear that the House cannot raise the requisite quorum.

ADJOURNMENT

The Temporary Speaker (Hon. (Dr.) Rachael Nyamai): Hon. Members, the time being 7.01 p.m., this House stands adjourned until Thursday, 27th April 2023 at 2.30 p.m.

The House rose at 7.01 p.m.

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